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BARONIA ANGLICA CONCENTRATA;

OR,

A CONCENTRATED ACCOUNT OF ALL THE BARONIES COMMONLY CALLED

BARONIES IN FEE;

DERIVING THEIR ORIGIN FROM WRIT OF SUMMONS, AND NOT FROM
ANY SPECIFIC LIMITED CREATION;

SHEWING THE DESCENT AND LINE OF HEIRSHIP AS WELL OF THOSE FAMILIES MENTIONED BY SIR WILLIAM
DUGDALE, AS OF THOSE WHOM THAT CELEBRATED AUTHOR HAS OMITTED TO NOTICE,

(Interspersed with interesting Notes, and explanatory remarks,)

WHERE TO IS ADDED

The Proofs of Parliamentary Sitting,

From the Reign of Edw. I. to that of Queen Anne :

ALSO,

A GLOSSARY OF DORMANT ENGLISH, SCOTCH, AND IRISH PEERAGE TITLES,

WITH REFERENCE TO PRESUMED EXISTING HEIRS.

BY SIR T. C. BANKS, BART., N. S.,

Member of the Inner Temple, Law Genealogist, Author of the *Dormant and Extinct Baronage of England*, *Stemmata Anglicana*, *Honores Anglicani*, *History of the Marmyun Family*, and other Genealogical works.

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MCCCXLIV.

DEDICATION.

TO THE RIGHT HONORABLE THE LORD CHANCELLOR,

AND

THE LORDS' COMMITTEES FOR PRIVILEGES

IN THE HOUSE OF LORDS.

MY LORDS,

In thus assuming to dedicate to your Lordships the present work, I have been induced thereto from an observation once made to your Lordships by the late Lord Redesdale, when the Leigh peerage claim was pending before your Committees, "That it was much to be regretted that when such claims were brought forward for your consideration, you had only the ex parte statement of the claimant to guide your judgment; in which statement everything was excluded, saving what tended to show the claimant's descent as particularly confined thereto; and in many instances merely supported by personal testimony, where legal documentary evidence might be obtained, if not fearfully evaded to be researched after." Thus ancient wills, which might cast a light upon the claimant's deduction from the first baron, are seldom, if ever brought forward; which in some respect may arise from not knowing where they were to be found prior to a certain period; as, for instance, in the Registry of the Prerogative Court of the

Archbishop of York, the Index commences only with the reign of Richard II., though there are therein many wills of long antecedent date, which the Registrar will not permit to be inspected; and this may be the case in the courts of other bishops; and probably is so in that of Canterbury. Parochial registers are often said to be deficient, though research in the returns to the diocesan registry might not unfrequently supply the deficiency; as likewise researches in the various peculiar Jurisdictions might elicit proofs which are reputed not to be anywhere found. But these kind of researches might (if made) tend to place the line of a claimant in a very different course to the one he is desirous to establish. I might make reference to some titles, but it would be invidious to name them; and indecorous to your lordships, after having made your decisions in their favour.

The pages of this work are therefore (but not without diffidence) compiled to show the origin of every barony, from its first commencement by writ of summons to parliament, to the time when it became (as presumed) extinct, or terminated in an heir general in dormancy; or in coheirs general in abeyance between them; accompanied with such remarks as appear explanatory of their course of descent.

Sir William Dugdale, in his so highly estimated History of the Baronage of England, has omitted all account of divers eminent persons who sometimes were summoned to parliament for a shorter, or longer period, and their heirs occasionally after them for several parliaments, and then their descendants thereafter never any more summoned, although long continuing.

From your lordships' recorded decisions, that a writ of summons attended with a proof of sitting creates what is commonly called a barony in fee, it is to be inferred that many of these persons from whom descendants are existing, did, by virtue of their writs of summons, acquire such a barony as their said descendants, and extant representatives, may at this day be entitled to claim.

To supply the omission of Dugdale, the second volume of this work will be found to contain an account of these *barones pretermitti*, and in that respect never having been noticed by any genealogical author, before myself, I am emboldened to hope that the concentrated contents of the two volumes may be useful to your lordships, when claims to long dormant baronies shall be referred to you for investigation.

On these occasions it may be remarked, that the generality of claims are for title which during centuries have lain dormant, and unpretended to, although through that long period the heirs were in most instances persons of far superior estate to some of those who more recently have thought fit to seek their revival; a circumstance implying a doubt as to the said titles being personal descendable peerage honours; or casting a reflection upon their ancestors for the little estimation in which they held their right of lordly succession. But now the anxiety for peerage rank seems to rage like an influenza; which your lordships are brought to encounter, and decide whether it runs in the blood like an hereditary gout, or is the effect of pure imagination.

I have the honour to remain,

MY LORDS,

With all due respect,

Your Lordships' obdt. servt.,

York, March, 1844.

T. C. BANKS.

P R E F A C E.

So many claims to ancient peerages, many of which had been dormant for centuries, having of late years been preferred to the Lords' Committees of Privileges for decision, the subject has excited a doubt whether in some instances the claimants have not been induced to come forward, relying more upon their influence, than the merits of their pretensions. The most of these titles aspired to have been those denominated *Baronies by Writ*, or as usually styled *Baronies in Fee*; being descendable to the heir female of an elder, before the heir male collateral of a younger branch.

How sparing queen Elizabeth was in conferring the peerage honour is sufficiently manifested when it shall be stated that such men as Sir Nicholas Bacon, Lord Keeper in 1559; Sir Thomas Bromley, Lord Keeper in 1579; Sir Christopher Hatton in 1587, Sir John Puckering in 1592, Sir Thomas Egerton in 1596, Sir Francis Walsingham, Sir Francis Knowleys, Sir John Perrot, (supposed a natural son of king Henry VIII.), Sir Philip and Sir Robert Sydney, Sir Francis and Sir Horace Vere, Sir Fulke Grevill, Sir Walter Raleigh, Sir Francis Drake, Sir Robert Cecil, Sir Nicholas Throgmorton, Sir Walter Mildmay of Apthorp, Sir John Fortescue of Salden, Sir William Fitz William, Deputy of Ireland; Sir Thomas Smith, a most learned person; Sir Thomas Randolph, Sir James Croft, Governor of Berwick; Sir Henry Gates, Sir Roger Manwood, Chief Baron of the Exchequer; Sir Christopher Wray, a learned judge; Sir Henry Killigrew, Sir James Dyer, a judge; Sir William Pelham, Lord Justice of Ireland; Sir William Bingham, Marshall of Ireland; Sir Arthur Chichester, Sir Thomas Roper, Sir Henry Unton of Wadley, of the blood Royal; Sir Geffery Fenton, Sir Martin Frobisher, and Sir John and Sir Henry Hawkins, famous sea captains; with many other most eminent persons, distinguished by their merits, bravery, or their services, could never obtain promotion to the rank of Peerage Honour. But on the death of the Queen, and the

accession of king James I., new arrangement at Court, new distinctions, and new modes of life turned everything topsy turvy.^a

Since then, through the succeeding reigns, so large has been the number, and so indiscriminate the selection of Peers, most especially during late years, that there are few country gentlemen of tolerable fortune, and any ancient noble blood in their veins, who have not thought themselves qualified for similar distinction, and felt their pride excited by the exaltation of some less meritorious, and qualified of their acquaintance, and on this account I am prone to believe the information contained in these volumes, will be found interesting.

The subject of this work has been divided into two parts, viz., the first volume containing an account of those persons who are mentioned by Sir William Dugdale to have had summons to parliament as barons of the realm; the second volume embracing an account of divers eminent persons noticed in his Lists of Summons to have been similarly called to parliament by writ, and therein ranked among the earls and other barons, and yet totally passed over in the text of his celebrated Baronage.

The Barony by Writ being the most valuable portion of the peerage dignity, (though

^a In Gervase Holles's memoirs of his own family, speaking of his cousin John Holles (afterwards earl of Clare) he says,—“A bill having been filed against Sir John Holles, in the Star Chamber, for holding conferences with Gervais and Garnet, (two Jesuits,) at their execution, though he made his defence to the great satisfaction of his hearers, yet he was committed to the Fleet, where he continued a prisoner some weeks, until at last he came out a *baron of England*, being so created the 9th July, 1616. For this dignity he paid the then favorite, the duke of Buckingham, ten thousand pounds sterling: for after the entrance of king James, the sale of honours was become a trade at Court; and while the Duke lived, scarce any man acquired an honour, but such as were either kindred, or had the fortune or misfortune to marry with his kindred, or mistresses, or paid a round sum of money for it. Nor, indeed, did that way of merchandise cease all the reign of Charles I., which was one cause, and not the least of his misfortunes. I have heard the earl of Clare often inveigh bitterly against it: and he would usually call it *temporal simony*. I remember that I once took the liberty (hearing him so earnest on that subject) to ask him how he could purchase himself, seeing he condemned the king for selling? He said that *he observed merit to be no medium to an honorary reward; that he saw divers persons who he thought deserved as little as himself either in their persons or estate, by that means leap over his head, and therefore seeing the market open, and finding his purse not unfurnished for it, he was persuaded to wear his money as other men had done*. About eight years after his creation of baron, for five thousand pounds sterling he was advanced to the earldom of Clare. It was not a little considered at, that he could obtain this title as the lord Rich, when he was created, was desirous of it; and the king's council after several debates about it, concluded, that since the first earls of Clare determined, the honor of Clare had ever been conferred upon a Prince of the blood royal, and therefore not to be allowed to a meaner subject. But the power that procured the dignity, which was the duke of Buckingham, prevailed for the title. Whereupon the lord Rich was created earl of Warwick.”

not the highest in rank) as not limited to any specific course of succession, but open to be inherited by the heir male or female of the baron first summoned to parliament, has led to the compilation of these volumes, with a view that by the concentration of those mentioned by Dugdale, with those omitted by him, a more general history of the Barony by Writ may be set forth, than has hitherto been published in any printed peerage; so that by this concentration an information may be afforded to many of rights which before they were not aware to be vested in them.

I know that it has been asserted, that "*formerly the study of genealogy was almost exclusively confined to those to whom it professionally belonged.*" The truth of this assertion may be admitted so far, that it is certain they were the most fitting to make publication of genealogical works; but it is unfortunate for them, that such as any of them have published, have ever been more or less inaccurate, or defective, and contradictory to each other. On this point examples may be readily adduced in the animadversions of Brooke upon the errors of the learned Camden, the retort of Camden upon Brooke's ignorance, Vincent's bitter exposition of Brooke's blunders, and Hornby's severe remarks upon Dugdale's misrepresentations: even Milles's Catalogue of Honour, commonly called "Glover's Book," is not without many errors, although compiled from the MS. of that highly extolled herald, denominated par excellence "the Divine Glover," to whom Milles was nephew and executor.

The instance of Sir William Dethick, Garter King of Arms, who was found guilty of forging a false pedigree for Rotherham, against Anthony, Earl of Kent, for the barony of Grey de Ruthyn; (vide case in Collins's Baronies by Writ) and that of Mr. Radcliffe, the Herald, some years ago, furnish proofs that many of the MSS. in the College of Mystification are not so pure as to be relied upon without suspicion; and that the members of that Society, to which *the study of Genealogy did formerly exclusively belong*, are not more capable or competent to publish genealogical history than Collins, Edmondson, or the late Sir Egerton Bridges, who were never professionally of the Heraldic School, but whose Peerage editions stand prominent in public estimation.

Among the MSS. in the repertorium of the College of Absolute Wisdom and Exclusive Knowledge are the County Visitations made by the Heralds at sundry times, many of which are of a somewhat extraordinary nature as having very frequently blanks left

for the name, or christian names of the wives and children of persons whose pedigrees are certified therein. Yet it cannot be imagined that those who subscribed these entries of their families were unknowing of whom they married, or of the christian name of their own children. Why then should these frequent blanks occur? The reason may readily be conceived; that they were left to answer some future sinister purpose, as for example; when some one migrated from the counter to a title, should wish to have his descent drawn out, so as to show he was derived from some ancestor of noble or ancient lineage, these blanks could thereafter be filled up, and thus the vacuum be made to answer the interested cupidity of the herald, and the ambition of the party; which, thereby, could thenceforth pride himself with others of similar rank. The humorous dialogue of the Cow Dung and Apple swimming down the stream seems depictive of such a case, where the cow dung for the sake of courteous conversation says to its companion, "How we two apples swim."

I am not so presumptuous as to suppose these volumes are without errors; yet I trust they are not many; nor more than are to be found in works published by those *to whom the study of genealogy professionally belonged*. Dugdale I have most certainly followed, as considering him the most approved and appreciated author of genealogical history. Where I have differed from him, I have referred to the authorities for so doing, as I have for my statements in general; nevertheless, I fully expect the severe remarks of reviewers, and malignant critics—the heathen gods by whose capricious judgment poor authors may be sentenced to rise or fall. Besides these castigators, I have to look to the probability of being *Burked*^a at a future day; but whatever may take place, I have only to observe that with this edition I take my leave of the public as an author, and

"Heralds and Critics, that abusive throng,
May as they please, speak of me right or wrong;
Their praise will never give me any pride,
Their spite, I heed not, and their snarls deride."

In the Appendix to the second volume is an account of the first settlement of the Scots in Nova Scotia, the occupation of the country by them, and the institution of the

^a This is a cant term derived from a person of the name, who was executed at Edinburgh, some years ago, for making use of the living to the conversion of his own gain, and seems applicable to one who pirates the work of a living author, and palms it on the world as his own.

Order of Knights Baronets therein. No similar account has ever before been published; and, indeed, the several writers who have attempted to show the said first settlement, have made most erroneous representations in asserting that Sir William Alexander, after his grant from the crown, sold the country to the French, and that king Charles I., by the treaty of St. Germain's, ceded it to them. The contrary of all this will be substantiated by the Documents herein set forth.

With regard to the Knights Baronets created in virtue of the powers given to Sir William Alexander by the charters of king James and Charles I., it will appear that they had confirmed to them the occupation of the lands from the acquirement whereof they derived their titles, with a special promise from the king, "*in verbo principis*," that if at any time they should be obliged by circumstances to yield their possession, they should have compensation made to them.

The usurpation of the territory by the French, which continued for many years, deprived the baronets from the enjoyment of the settlements they had made; and the distractions of the civil war otherwise embroiled them, and reduced many to poverty: so that denuded of their estates, few but the more opulent ever after assumed their titles. Such was the case with my family: nevertheless, length of time of non usage does not extinguish the inherent and hereditary right; while a new order of events has restored the country to the British sovereignty, and thereby revived the said rights of those baronets whose ancestors were first enfeoffed in their lands.

Particular circumstances taking me to America some years ago, I there became informed (by the inspection of the public records) of the mistaken notion that Sir William Alexander had ever sold Nova Scotia to the French, or that king Charles had ceded it to them; and after my return, making investigation into the records of Scotland, I therein found those documents which are now printed—showing that the territorial rights of the original baronets of Nova Scotia still attach, claimable by their descendants and heirs representative.

Having had the opinion of eminent American counsel, as well as English, on this important point, I made application some years ago to the then Lords of the Treasury, on the subject of claim; but most singularly the objections made by them were founded on the very same ground as the French commissioners, after the treaty of Utrecht, made

against the pretensions of the British Crown, which were so ably, and clearly nullified by the answers of the English commissioners, and completely sustained. Failing thus in my representation to the Lords of the Treasury, I was advised to present a petition to her Majesty, praying respectfully for a compensation, instead of making a demand for the restoration of right. The Petition was as follows :—

“ TO THE QUEENS MOST EXCELLENT MAJESTY.

“ THE PETITION OF SIR THOMAS C. BANKS, BARONET, N. S., HUMBLY SHEWETH—

“ That your petitioner’s ancestor, (whose heir he is,) Sir Walter Banks, (then bearing the name of Norton, by family settlements,) was created a baronet of Nova Scotia, the 18th June, 1635, with limitation ‘*Hæredibus suis masculis, et assignatis quibuscunque,*’ and with a grant of lands, pursuant to the reserved covenants in the charters of king James, and Charles I., by which the institution of the order of Nova Scotia baronets was first contemplated, and afterwards perfected ; which lands erected into a barony are thus described in the registry of sasines, preserved and remaining in the office of Public Records at Edinburgh, viz :

“ ‘ Beginning from the west side of the land, and barony of Barnbow, belonging heritably to Sir John Gascoigne, of Barnbow, in the county of York, knight and baronet, and lying on the north side of the river called the Great Schibone, in Cape Breton, passing towards the west from the said barony, ascending the river for the space of three miles, keeping always the river for the boundary thereof on the south, and from thence passing northward for the space of six miles, keeping always three miles in breadth, and six in length, and the said barony for the boundary thereof towards the east.’

“ That after your petitioner’s ancestor the said Sir Walter Banks (otherwise Norton) had been so created a baronet, and had sasine of his barony aforesaid, he, as well as divers other Nova Scotia baronets, had their territories forcibly entered upon by the French, who took possession of, and retained the same till the peace of Aix-la-Chapelle, when Nova Scotia, with the Canadas, and Cape Breton, were finally quit-claimed, and restored to Great Britain ; on which event the rights of the respective baronets returned

to the existing heirs of the original grantees ; the possession of the French being according to the opinions of Attorney-General, and Solicitor-General, York and Talbot, only a suspension of rights, and the re-acquirement by the crown of England, a restoration thereof.

“That your petitioner is advised that the length of time of non-claim which has passed over, either on the part of your petitioner or any of his predecessors, is no bar to his present right of recovery of his aforesaid barony, prescription being specially excluded in the original royal charters of institution, creation, and investiture.

“That your petitioner is by no means inclined to enter into controversy with your Majesty’s Government, in so much as to urge the words of lord Brougham (when a Commoner), ‘*the subject and the crown do not go into court upon equal terms.*’ But as there is at this time an immense extent of waste and uncultivated land both in the Canadas and Nova Scotia, he presumes to say, he should be satisfied by a grant of so much of the said lands in either district, as would be equivalent to the extent of those granted to his ancestor in Cape Breton.

“That although your petitioner is confident in the legality of his claim, as manifested in the proceedings of another baronet in the Court of Session at Edinburgh, yet he is equally aware that to enter into a suit with the crown is to incur enormous expense, vexation of mind, and the exhaustion of those years, which under the beneficence of the Almighty are better spent in peace than in litigation ; he having during a long life experienced that to urge claims upon the British Government through the medium of the law, is as vain as the endeavour of a man to roll a stone up to heaven. But he nevertheless feels consoled in his misfortunes, that if this his petition is not acceded to, he is only like those noble lords and others who hold an empty title without a fortune to support it ; depicting as it were a *caput mortuum*, where the brains, the intellectual part, are gone, and the skull, or worthless part still remains.

“Wherefore your petitioner humbly prays your majesty to take into your royal consideration that he is at the advanced age of seventy-three, has long been the author of many literary works, patronized by your excellent royal grandfather, by His Majesty George IV., and by your illustrious father the Duke of Kent ; that his family have served their country both on the sea and land service, and particularly his relative, Captain

Francis Banks of the Royal Navy, who commanded the reinforcement from America, which was the cause of taking the important city of the Havanna from the Spaniards, and was mentioned in high terms by Admiral Sir George Pocock, announcing its surrender; that though oppressed with severe misfortunes, accompanied with the most base ingratitude, he remains an Englishman, and your Majesty's loyal subject, and finally he humbly prays that your Majesty actuated by the principles of justice which he is certain you at all time wish to have exercised, will, out of your royal grace, cause to be conceded to him the restoration of the rights he has set forth, or a due compensation for them.

And your Majesty's petitioner will ever pray, &c.

(Signed)

T. C. BANKS.

To this petition the following answer was returned.

Downing Street, 12th September, 1837.

Sir,

I am directed by lord Glenelg to inform you that he has received, and has had the honour to lay at the foot of the throne, your petition to her majesty, of the 23rd ultimo, setting forth your title to certain lands in Nova Scotia in consequence of a grant to your ancestor in 1635, and praying that in order to avoid the necessity of litigation with the crown to establish your rights, you may have a grant equivalent to that which your claim, either in the Canadas, or Nova Scotia. In reply I am to acquaint you that it is not in the power of her Majesty's government to exempt you from the necessity of establishing by due course of law, your title to the property which you claim in Nova Scotia.

I have the honour to be

SIR,

Your most obedt. servt.

(Signed)

GEORGE GREY.

TO SIR THOMAS C. BANKS, BART., &c., &c.

To this answer I have only to observe, that if I proceeded by action against the Crown, and after an enormous expense, and delay, eventually succeeded, I certainly

should not be under any obligation to the crown, as I should then acquire the lands *ex jure*, and not *ex gratiâ*, and consequently not entertain those sentiments of respect which a contrary conduct might have impressed on me with a grateful feeling.

The approach to Majesty in England is very different to that which Frederick the Great allowed to the meanest of his subjects in Prussia; or Napoleon, the illustrious Emperor, to those in France.

In having made this lengthy dilation on the case of the Nova Scotia Baronets, I have been induced thereto from believing that they are not aware of the recoverable interests which they have under the grants made to their ancestors, and are now of a very valuable nature. Were they in a collective body to bring their claims before parliament, they might obtain a more favourable attention, than I, as an humble individual, divested of property, and without weight of influence to support me, have met with.

It is to be remembered that this fine colony was acquired to the British Dominions, not at the expense of the Sovereign, or of the country, but by the undertaking of an individual who ruined his fortune in the adventure; while those who, by the king's invitation, were drawn in to become his associates, and purchase portions of land to have an high hereditary honour conferred upon them, sacrificed their property for the same purpose, seduced by a promise in *verbo principis*, that they should have compensation made to them in case at any time they should be compelled to evacuate their possessions. An inherent right of territory therefore remains in the heirs representative of these persons. It is a debt due from the crown to them to discharge, and of a nature far more strongly founded in justice, than those grants which British ministers, from time to time have made to persons, without any other reason, than a bonus for their support and influence.

BARONIA ANGLICA CONCENTRATA.

DISSERTATION UPON THE ORIGIN

OF

NOBILITY AND HEREDITARY HONOURS.

WITHOUT entering too particularly into the History of the rise and progress of the Feudal law, it may be sufficient to observe, that according as at the time of the Conquest, it was understood and practised in France, it flourished in full vigour in Normandy; not that the customs of Normandy were entirely the same with those of France, each province of that kingdom having distinct and different customaries, though all founded upon the same principle.*

* Œuvres de
Basnag. vol. 1.

What were the Military Tenures in England, during the time of the Saxons, is not exactly ascertained, nor understood—that such kind of Tenures in England existed is beyond a doubt; and it is probable they underwent some, if not a very great alteration by the accession of William the Conqueror to the Throne, and that he established many feudal customs for law, which he brought with him from Normandy.^a

With respect to the orders and Titles of Dignity in England after the Conquest, they were for several centuries only of two kinds, viz. *Earls* and *Barons*: they were both founded similarly upon actual territorial possessions, though at this day, they have become merely personal honours, and names of dignity, shorn of their officary functions, and co-ordinate estates. Of this Nobility, the denomination of *Baron* is considered to have superseded and to have supplied the place of the Saxon Thane, and was introduced from France, where it denoted a person who held a *feudum nobile*, with the right of administering justice in criminal and civil causes; and here in England, signified a person

^a In the poem of the Customary of Normandy, which is intitled *Descriptio Normanniæ* it is asserted that Edward the Confessor, king of England, gave the English Laws to the Normans when he was so long sheltered there: this point is also witnessed by *Chronica Chronicorum*.—Vide Lord Whitelock's speech in 1650, printed in Whitelock's Memorials of English affairs.

* Gloss. p. 79.
Edit. 1626.

† 2 Inst. 6.
Selden.

holding his lands immediately of the king; and having a certain number of free tenants holding of him; with a court, in which he administered justice to his tenants. The words of Spelman are, viz: * "*Barones autem antike estimandi sunt qui in suis dominiis de litibus cognoscebant, et atrociniis; consuetudines habentes, quas Sac, Soc, Team, Infangtheife, Outfangtheife, Furcas, &c. appellant* —." Hence chief-justice Coke says,† that in ancient records "the baronage included all the nobility of England; because regularly all noblemen were barons, though they had a higher title."

‡ Mod. Tenen.
Parl. MS. cap.
de Laicis.

Some writers, (and, indeed, Spelman inclines to that opinion), have thought, that *baron*, and *tenant in capite*, were synonymous, yet probably, they were led into that notion from the representation of old historians and the ancient *modus*.‡ Thus, the tenure of thirteen knights' fees, and a third part in capite of the crown, has been, by some, reputed to have constituted a baron of the realm. But, by reference to the public records, it will be seen, that it was always *the quality*, and not *the quantity* of the tenure, which gave right to the baronial honour; a fact, which the instances of Abergavenny and of Berkeley clearly evidence; for neither of those castles or territories, were holden in capite at even the service of *five knights' fees*; they were, however, holden *per baroniam*, and that tenure § was admitted to render them, *ab origine*, feudal baronies and parliamentary dignities, by prescription, in the constant usage of writs of summons, as barons. Madox in his History of the Exchequer, observes that, the Tenure in Barony constituted the Peerage, not the number of knights' fees: thus infeoffment without any special or formal words of creation, conferred the baronial dignity, which was fee simple, but liable to cessation on alienation of the lands; and therefore the dignity, or title of a baron was not descendable in the blood of the grantee after ceasing possession of the land.

§ Vide Collins's
Parl. Preced.

|| Esch. 20 Edw.
I. n. 36.

Moreover, there is no foundation for thinking *barony*, and *tenure in capite*, to be terms *synonymous*, because, in the instance of Philip de Marmion, who died the 20 Edw. I. || it was found, that he died seised of the castle of Tamworth, holden in capite, by the *service of three knights' fees*; and of the manor of Scrivelby in com. Linc., holden in *capite per baroniam*; which two tenures were distinct services,—the one being to find three men for forty days for the Welsh wars—the other being for general service in the field, or council, as the king should command. Furthermore, upon the authority of the case of Furnival, cited by Mr. Madox, in his History of the Exchequer, ¶ it appears, that, though every baron, properly so called, was a *tenant in capite*, yet a tenant in capite was not by reason of his tenure a baron, for the number of tenants in capite was *always encreasing*, but that of the feudal barons *always decreased*.

¶ p. 370.

It certainly is clear that the term, *tenant in capite*, is, or was, equally applicable to all services, for lands or seignories holden of the crown, since what distinguishes a baron from all other tenants in capite, cannot be the want of mesnalty between himself and the crown, for that is common to them all, but must be the reservation of some particular

services of a superior nature to the others, fit only to be performed by the person of a baron, and which were supplied in the phrase, "*tenere per baroniam*." Thus in the instance of Philip de Marmion,* before cited, numerous documents in the public archives shew, that he held the manor of Scrivelby "*per baroniam, and by the service of being champion to the kings of England, on the day of their coronation*;" a service which of all others, demanded one of a noble state and degree to execute; to which example may be added, that of Abergavenny, which appears to have been holden by barony and by serjeanty, as in Collins's Parliamentary Precedents may be found very fully detailed.

* Esch. 20
Edw. I. n. 36.

That a barony was a tenure in capite, and immediately subject to the crown, is evident from the record, temp. Edw. III.† viz. "Rex., &c. sciatis quod, &c. Richardus comes Arundel, 24^o Octobris, fecit nobis homagium pro *baronia sua* de Bromfield & Yale; quam idem comes de nobis tenet in capite tanquam coronæ nostræ Angliæ immediate subjectam." And therefore, it often happened in the case of amerciaments, that, when any man thought himself aggrieved by being *amerced as a baron*, he would plead, that he was *not a baron*, (though at the same time he would admit himself to be a *tenant in capite*,) "*quia nil tenuit per baroniam*."

† Rot. Pat. 27
Edw. III. p. 3.
m. 3.

It may be observed, that the whole of parliamentary business, as attendant upon the service of the baron, is reducible to the heads of either advice or consent: the first of these is to be considered as a feudal service, performable to the king, as superior lord of their fiefs;—the second is extra-feodal,‡ and depends upon those principles of liberty, that were common to all the Gothic nations.

‡ West's En-
quiry.

Every tenant *per baroniam*, did homage to the king, by virtue of which he was obliged, whenever summoned, to attend him. The profession of homage comprehended in it, that the tenant was obliged, *inter alia*, to serve his lord with his counsel and advice; and for this reason, most if not all of the ancient writs of summons run in these terms: viz. *Vobis mandamus fide et homagio quibus nobis tenemini*; which words Sir Henry Spelman,§ and lord chief-justice Coke|| think to relate only to the *feodal barons*. The chief-justice adds, that the reason why the barons are now summoned solely *in fide et ligeantiâ*, is, because that there are no feudal baronies extant, though it be certain that several barons who were feudal, have been also summoned *in fide et ligeantiâ*. Hence, though a summons *in homagio*, is an argument that they were *feodal barons*, a summons *in fide et ligeantiâ*, is no proof *they were not so*.

§ In Gloss.
|| 9 Inst. p. 5

Whatever notions are now entertained of an attendance in parliament as an honour, a privilege, &c., yet, in the earlier ages of our monarchy it was looked upon in a quite different light; and was esteemed to be a service—a burthen, incident to the tenure of their lands, from which many were desirous to be delivered. The clergy even complained of them as a burthen and imposition upon the church; and, therefore, when they were summoned to parliament, many of them would petition to be discharged from their

* Rot. Pat. 26
Edw. III. p. 2.
m. 22.

† Selden's Tit.
Hon.

attendance, upon a suggestion that they held no lands per baroniam; as in the case of the abbot of Leicester, who, by patent under the great seal, in the 26 Edw. III.,* was released from all attendance on parliament.

Similar is the example of the abbot of St. James, Northampton,† who, being summoned to parliament the 12 Edw. II., petitioned to be discharged upon a suggestion, that he was not a tenant per baroniam: the words are, "*Non tenet per baroniam, nec de rege in capite sed tantum in puram et perpetuam eleemosynam, &c. unde petit remedium, &c.*" Here it appears that (as before mentioned) the *tenants per baroniam*, as well as the other *tenants in capite* were obliged to attend in parliament when summoned; but, nevertheless, the quality of their rank was defined by the manner in which they were distinguished, by the writ of summons addressed to them on such occasions.

At what precise time the form of creating a baron by writ first took place appears to be very equivocal, for certain it is that the 17th article of Magna Charta says, *viz.* "And for the assessing of scutages, we shall cause to be summoned the archbishops, bishops, barons, earls, and *great barons* of the realm, *singly*, by our letters, &c."

By this enactment of the great charter of liberties, it is manifested, that while the tenants in capite were confirmed in their right of attendance in parliament, yet there was a very particular distinction between the rank and privileges of the legislative body, ‡ Gloss. p. 83. The nature of this distinction seems well explained by Spelman,‡ who says, *viz.* "*Barones minores, simpliciter sunt simplices villarum maneriorumque domini, de quocunque tenentes, qui sacham et sockham habent, id est, curiam et jurisdictionem super vassalis suis. Non autem summam justitiam quâ de vita et membris decernant; sed humiliem illam, ad prædia pertinentem ex qua curiæ suæ. Base courts, i. e. infimæ nuncupantur. Ità antiquitas barones majores à minoribus, distinxit, istis distribuens justiciam infimam, illis verò summam atque regiam.*"

This article evidently shows that the great barons, or parliamentary lords of that day, claimed their right of summons *ex debito justitiæ*, not *ex debito gratiæ*: as a *matter of right*, not a *matter of favour*. Hence, it is plain, that the writ was not then considered as operative of a creation, but incidental to the fee, as a co-service, or privilege of inheritance following the same.

The statute of Magna Charta (so often evaded, and so often solemnly re-established,) by a slow and uniform progression, prepared the way for that memorable event, which at length began to have effect under Montfort, in the time of Henry III., and afterwards in the reign of Edw. I., became established.

It is to be remarked that Simon de Montfort, having the king in his power after the battle of Lewes, did in his name, summon a parliament to meet at London, which precept § is asserted to be the first to be found among our records, whereby the lords spiritual and temporal, and the *knights of the shires, citizens, and burgesses*, were called

§ Claus. Rot.
49 Hen. III.

together, according to the form now followed, of convocating the lords, and of electing the commons.

But this form, so adopted at a particular crisis, may admit of some question, as to its originality of being the most early precedent of similar convocation,^a certainly in the absence of a more ancient record it may be deemed the first; but the chasm of time by the probable loss of preceding rolls, seems to have given it the character ascribed to it, rather than the truth of history; for it is to be observed that the 16th and 18th articles of Magna Charta afford reason to believe, that the rebel barons did not assume altogether a new mode of assembling the parliament of 49 Hen. III., but merely exercised the usual practice of the existing law, except that, instead of causing to be summoned the *whole body of minor tenants in capite*, they directed the sheriffs of the counties to cause only *a certain number* to attend from their respective counties, as representatives for the others; which *innovation* upon the 18th article of Magna Charta, *then made*, thenceforth continued, and may be considered the origin of the knights of the shires. But with regard to any new introduction of form in *convocating of the lords spiritual and temporal*, there appears none; saving that, on this particular occasion, the nobility summoned were solely those of their own friends and supporters, as the list* of names, consisting but of five earls and eighteen great barons will prove.

* Dugd. List of Sum.

Now, with reference to any alteration in respect of the Commons or representatives of the cities, boroughs, and towns, there is no evidence from the precept of 49 Hen. III. That it directed any new mode either of delegations, or of the number of deputies, to be sent from the said respective places; the silence, therefore, in this instance, goes to warrant the assertion that the said cities, boroughs, and towns, were called upon to send

^a There was a general council or parliament holden at Westminster the 14 Will. Conq. where the king by his charter confirmed the liberties of that church, (Ex Cartulario Cænobii West. in Bibl. Cott. sub Effigie Faustine. A. 3.), after he had subscribed his own name with the sign of the cross, adding many of the great clergy and temporal nobility: and insted of *cum multis aliis*, says *Multis præterea illustrissimis virorum personis, & regni principibus diversi ordinis omissis, qui similiter huic confirmationi piissimo affectu, testes et Fautores fuerunt. Hii autem illo tempore à regia potestate Diversis Provinciis, (i. e., Comitatus. tit. Hon. 273. Spelm. Gloss. 471), et Urbibus, ad Universalem Synodum pro causis cujuslibet Christianæ ecclesiæ audiendis et tractandis ad præscriptum Celeberrimam Synodum (Parliam. nuncup. Somn. Gloss.) quod Westmonasterium dicitur, convocati, &c.*

In the margin of the book there is written this remark, viz. "Nota hic, hos omnes convocari à regia suâ auctoritate ad causas religionis tractandas, tam nobiles de Clero, quam *Principes regni*, cum aliis *inferioris gradus*, convocatio quorum videtur esse parliamentum."

Again, by another record (Claus. 15 Joh. pt. 2. Dors. M. 7.) it appears, that before Magna Charta, the sheriffs of the counties were called upon to send their deputies or representatives to consult with the king upon the national affairs. The writ runs thus, Rex Vice comiti Oxon, salutem precipimus tibi quod omnes milites ballivæ tuæ qui summoniti fuerunt esse apud Oxoniam ad nos à die omnium sanctorum in xv dies, venire facias cum armis suis; corpora vèro Baronum sine armis singulariter; et iv discretos milites de comitatu tuo illuc venire facias ad nos ad eundem terminum *ad loquendum nobiscum de negotiis regni nostri*, Teste meipso apud Witten xi, die Novembris.

Eodem modo scribitur omnibus vicecomitibus.

their representatives as they had been theretofore accustomed, and as the 16th article of Magna Charta had defined their rights, viz.

ART. xvi.—“Furthermore we will grant that all other cities, and boroughs, and towns, and ports, shall have their liberties and free customs, and shall have the common council of the kingdom concerning the assessment of their aids,” &c., which, according to Br. Brady’s explanation, is “*that they shall send their representatives or commissioners to the common council of the kingdom.*”

Under these considerations, it becomes questionable whether any perfection of parliament was made at the 49 Hen. III. excepting (if it may be termed a perfection) that the innovation upon the hereditary rights of the minor tenants in capite, reduced that body to a state of representation, and by the omission at that time of summoning the whole of the nobility to a *free parliament*, gave to future kings a precedent for summoning, *ad arbitrium*, the great lords of the realm; so that in after times the crown was enabled, by the decay of old baronies, and the introduction of new ones, to call by writ any one it pleased into the house of peers, and thereby to acquire a race of nobility less formidable than the old feudal barons, and consequently less capable of opposing with any effect the royal will and pleasure.

It was about this period of the 49 or 50 of Hen. III., according to Camden, (whose authority to that purpose is cited by C. I. Coke,* in the Abergavenny case,) that a law was enacted, that only those should come to parliament in future who should be summoned by the king’s special writ. The words of Camden† are, “*Ille enim (rex scilicet Henricus III.) post magnas perturbationes et enormes vexationes inter ipsum regem, Simonem de Monteforti, et alios barones motas et sopitas statuit et ordinavit quod omnes illi comites et barones regni Angliæ, quibus ipse rex dignatus est, brevia summonitionis dirigere venirent ad parlamentum suum, et non alii, nisi forte dominus rex alia illa brevia eis dirigere voluisset.*”

* 12 Rep. 70.

† In Mag.
Britan.

Under this pretended law, it is urged that the term *baron by writ*, first originated, because it was the king’s approbation which selected the party summoned to enjoy the rank of peerage, and not the right of the person to be called to parliament, merely because he was the king’s tenant per baroniam. But this doctrine is by no means warranted by the said pretended law, inasmuch as it does not propose to establish in the king a prerogative of creating any person *a baron of parliament by his writ*, whether he might be a tenant *per baroniam*, or otherwise; for the ordination extends *to earls* as well as *barons*, and there is said to be no precedent of an earl having at any time whatsoever been created *by writ*.^a

^a On this point some remarks may be found under the subsequently mentioned Titles of Monthermer, Strabolgi, and Umfraville.

The law in question, therefore did not affect the right of barony, any more than it did the right of earldom; though it introduced this rule for the future, that *neither the earls nor barons should come to parliament unless they were particularly summoned*.

This restriction, if it had any operation, was a virtual repeal of the before-recited articles of Magna Charta, which imperatively stipulated that for the assessment of aids, &c., the king should cause to be summoned *comites et majores barones regni sigillatim, &c.*, whereby the king was under a solemn engagement not to raise money or tax his subjects without the consent of his parliament, of which body he was obliged to summon the nobles as *an inherent right belonging to them, and not as a point of favor conceded by him*.

But the fact of such a law having been ever enacted is very doubtful: it has no place among the numerous ancient statutes of the realm, and can scarcely be imagined to have been sanctioned by the legislature, when the very persons who must have passed it, were in so doing casting their privileges prostrate at the foot of the crown, and disfranchising themselves of their ancient rights and immunities.

Instead of a statute, there more probably was a regulation made about the time alluded to, that the great nobles of the realm should not meet as they had been accustomed to do, both before and after the conquest, at certain fixed seasons of the year; on which occasion they assembled *de more*, without summons; but, as such assemblages, by the vast number of the tenants in capite who usually then came together, were found to be often tumultuous and sometimes too adverse to the arbitrary measures of the crown, it might, after the dissolution of Montfort, and the barons' power at Evesham, be deemed advisable to ordain, that from thenceforth the earls and barons should not come to meet the king, unless specially summoned by his writ, but which, nevertheless, did not thereby create a personal descendable barony in perpetuity to the heirs general of the body of the person so summoned.

OF THE COURTS DE MORE.

THE Courts *de More* of the Saxon kings were holden according to *custom* at the three great festivals of the year, when the nobles always attended the kings at their courts of residence from king Alfred's time. Then was the state of the nation considered, old laws altered, amended, or repealed, and new ones made. This court was also the supreme court of judicature, where the king, with his nobles, heard and determined appeals from the inferior courts of justice, similarly as the lords' house of parliament at this day is the ultimate court of appeal, even from the decrees of the lord high chancellor.

In order that the nobility might be under a certainty where the *Courts de More* should be holden, the conqueror fixed the times of his residence to be at his palace in

Gloucester, on the Christmas festival; at Winchester, on the Easter festival; and at Westminster, at Whitsuntide; at which times and places his barons and tenants in capite, attended in due course.

* P. 15.

† Int. Cod.

MS. in Bibl.
Bod.

To this effect Dugdale, in his *Origines Juridiciales*,* cites an old chronicle,† written in the reign of king Stephen, which speaking of king Will. I. thus recites, viz. “also he was a person of great worth, (or honour) thrice he wore his crown, each year, as oft as he was in England; at Easter, he wore it at Winchester; at Whitsuntide, at Westminster; and at Christmas, at Gloucester; and then were with him all the wealthy (or potent) men throughout England; archbishops, bishops, earls, barons, and knights.” By which last designation may be understood the minor tenants in capite, who held by knights service, and who evidently were a body absolutely distinct in rank from the barons, and represented the common people in these parliamentary assemblies.

When affairs of state required the meeting of a parliament between the usual times of the *Courts de More* at the solemn festivals, then summons was issued, and in the writs the cause of the summons was expressed; according to the tenor of the articles before cited of Magna Charta.

The *Courts de More* were holden without interruption from the conquest, till the wars between Maud, the empress, and king Stephen, which made those regular assemblies impracticable. In the reigns of king Hen. II. and of Rich. I. the times being less tempestuous, the *Courts de More* were resumed; and in the *Chronicles* of Matthew Paris, and other ancient historians, there is contained an account of divers statutes and matters, which were then made and transacted.

The disputes between king John and his barons again interrupted these customary meetings, so that parliament mostly assembled only upon special summons. The eventful and turbulent reign of Hen. III. suspended also the regularity of the *Courts de More*; for as that weak monarch was seldom upon terms of amity with his nobility, and often tried to rule without a parliament, their right of meeting at those solemn festivals could be considered by him in no other light, than as an odious privilege, which afforded too frequent opportunities for them to express their generous sentiments in strong, and powerful opposition to the measures of his arbitrary government. From these causes, and the fortuitous circumstance of the unexpected, yet total defeat of the rebel barons at the battle of Evesham, which gave the king an absolute command of power, it may be concluded, he formed a regulation for the future convocation of his parliaments, and ordained that the constituent members, whether earls or barons, or others, instead of coming as they had been accustomed to do *without summons* to the *Courts de More*, should await his royal pleasure, and thenceforward should be convened at *what time* and *place* he might think proper to appoint, and never come, but when summoned by special writ, directed in the usual manner as set forth in the great charter.

Now, that all peers had of ancient right their particular summons, is evident from the testimony of Matt. Paris; who, speaking of the parliament holden at Westminster in 39 of Hen. III. states, that divers of the peers for want of summons were absent, and that the rest refused to answer the king's proposals then made to them for this reason, viz. "*Quod omnes tunc temporis non fuerunt, juxta tenorem Magnæ Chartæ vocatis, et ideo sine paribus suis tunc absentibus nullum voluerunt tunc responsum dare.*"

And forasmuch as from the words of Magna Charta, before expressed, it must be inferred that the same was no new grant, but a confirmation of ancient rights and liberties, it must necessarily follow, that the then existing nobility held their parliamentary privileges as appurtenant by prescription to their tenures in capite; *juxta formam doni*, according to the nature of the grant under which their lands had been given to be inherited and enjoyed.

That the pretended law of Hen. III. did not affect the state, dignity, and degree of the earls or barons of the realm, is evidenced by their being designated according to their distinction of rank; so that their right of seat and voice in parliament was not taken away, though they were proscribed from coming to parliament unless specially summoned.

With regard to the barons, as their estates were continually decreasing and the parliamentary attendance was a burthensome service, the despotism of the sovereign operated as a matter of grace; which was so well received, that the records furnish numerous instances of persons endeavouring to avoid the baronial honour, while there are not (till very late times) any examples of barons seeking the right of summons; indeed, in the progress of time, many of the least powerful having, by various alienations, dispossessed themselves of their caput baroniæ, became mingled with the common holders of landed property, and thus voluntarily contributed to their own disfranchisement; and lost a rank, which, at the present day, is solicited with eagerness, and the application (as it has been said) of every engine of corruption to obtain.

Thus far may be considered to apply to the *Barones Majores*, as distinguished by the nature of their tenures, and the definition of their privileges in the 17 art. of Magna Charta. But with reference to the *Barones Minores*, or under-tenants of the crown, there can be no doubt that after the 49 Hen. III., they never came to parliament as of right, in a collective body; inasmuch as by their continual subinfeudation they had become so multitudinous and turbulent, as equally to be too formidable to the crown, and to the great nobility; the restrictions put upon this class of persons, originated with the reforming barons in the particular writ of summons of 49 Hen. III., before mentioned. The success of the king, afterwards, at the battle of Evesham, having reduced many of those nobles who survived the slaughter of that day, to a state of imbecility, and the subsequent surrender of Kenilworth castle having brought their whole body to a submission to the royal power, the king continued the restriction begun by their own party;

by which precedent, representation came forward as a natural consequence, and the democratic branch of parliament, from having been composed of persons who once sate in their own right, thus became converted into a regular House of Commons, by elective representation.

The aristocratical part of the Constitution would have been utterly extinguished in the failure of the nobility by ancient tenure and prescriptive right, if the crown had not preserved it by the intervention of the prerogative power of creating peerages, and of conferring on those whom the king approved, an hereditary seat in the parliamentary assembly. The persons thus elevated to the rank of nobility, became ennobled in blood, because the writ of summons under which they were created, was the conferment of a personal honor, which being unattached to tenure, and unlimited in course of descent, was a fee tail-general inheritance in them, and their issue, so long as any should remain.

As this monarchical peerage emanated from the royal prerogative, it was consequently interested in support of the crown, from which it derived its lustre and peculiar privileges.

Until the period, therefore, of the latter end of the reign of Henry III. the baronage was absolutely territorial, as there are no records extant, within that time, of creation by personal writ of summons. From that æra, to the 11 Rich. II., it consisted of two descriptions, namely, the few who remained under the old tenure, and those who had been advanced by writ of summons. But, in the said 11 Rich. II., the old baronage having greatly decreased, and the inheritance, under the writ of summons, admitting of some doubt, a new mode of creation was adopted; which, by virtue of special letters patent, defined the particular degree of peerage, its place in parliament, and its course of descent. Thus we find baronies of three kinds, viz.:—

1.—The first by tenure, with certain prescriptive rights, founded upon possession of actual territory, by virtue of which the parliamentary privilege was attached to the fief.*^a The relief defined the quality; and homage, with livery of seisin, confirmed the succession to, and investiture into this dignity of peerage.

2.—The second, created by writ of personal summons. When the barony instead of being territorial, was rendered personal; the investiture into which honour was not perfect, so as to render it a descendable barony, until the party summoned had actually taken his seat in parliament, and thereby complied with the condition of his creation.† After when, it became a dignity, descendable‡ to the heirs-general of the body of the party thus created a peer of the realm: so that it was not fee-simple, but a *fee-tail* general.

3.—By letters patent, whereby the feudal territorial peerage was exploded, (though

* Tit. Hon.
† Coke's First Inst. 9, 16.
‡ Vide Willeloughby de Broke; case in Collins's Parl. Preced.

^a Arundel, Abergavenny, Berkeley, and vide Lisle of Kingston Lisle.

a memento of it was preserved in the nature of creation money, and the name of place from which the title was taken,) and the ceremony of investiture began to be disused. By this mode, the person named in the letters patent, was immediately ennobled; for, according to the opinion of the lawyers, in the case of the lord Hay, of Sauley, 13 Jac. I., the delivery of the letters patent was sufficient, without any ceremony. Thus, the party, *ipso facto*, derived his honour from the instrument of creation, and had such an inheritance therein, as by the said instrument was limited, expressed, and declared.

But it is not a little singular, that Sir Robert Dormer, whose patent was dated the day after that of the lord Sauley, was created baron Dormer, with ceremony. So that it seems, in the first instance, the opinion of lawyers was given, but in the last not followed.

This state of the peerage, and its several æras of creation, has of late, (owing to the complexity of several claims founded upon tenure, and ancient writs of summons to parliament,) given occasion for the House of Lords, to appoint a special committee to search the journals of the house, the rolls of parliament, and other records and documents, for all matters touching the dignity of a peer of the realm. These committees have made several reports, the results whereof are far from being so conclusive as their lordships were sanguine to expect; and so far as they have gone, they have not established any certain principles to guide the house in their judgments on such cases as may hereafter come before them; but have left such cases as may occur, to be decided according to their several merits, and the peculiar circumstances which may attach to each individual case.

The lords' committees, in their second report, have said, "That, in prosecuting their enquiries, the committee have conceived the dignity of a peer of the realm must be viewed with reference to the character of lord of parliament, as appertaining to that dignity, and, consequently, as involving in some degree an investigation of the nature of the legislative assembly of the country, and of its constituent parts, previous to the time of the close of the reign of Hen. III. The committee have therefore thought it necessary to make some inquiry, what was the nature, and what were the constituent parts of such legislative assemblies. And, *although what they have hitherto found on the subject, has been so little satisfactory, that they cannot venture to offer to the house any report upon it; and are inclined to apprehend that no diligence which they can use will be sufficient to enable them at any time to give much information, yet, it has appeared to the committee, that the mere want of certainty on so important a subject, may of itself be deemed important; and that, therefore, if the labours of the committee should only tend to shew that the subject is involved in so much obscurity, that uncertainty must probably be the result of the most diligent research, their labours will not have been wholly in vain.*"

Again, the committee report, that in pursuing their investigation, "They have found contradictory assertions of law; and, where facts have been asserted as evidence, they

have found such assertions of fact to have been in some cases founded on mistake, and frequently made without reference to any sufficient authority; the committee have therefore, been induced to apprehend, *that the whole subject has long been involved in great obscurity, and that probably, in some cases, the house has proceeded without proper information—that the crown, in the exercise of its prerogative, has not always been fully instructed, and that even the whole parliament has given the sanction of legislative authority, where it may be doubted, whether, if rightly informed, that sanction would have been given;* and that, therefore the house may be compelled to decide between conflicting authorities, which to adopt, and which to reject, so as to establish clear and concordant principles, as guides for their future decisions.”

This section of the committee’s report is particularly deserving notice, inasmuch as, while it admits the inscrutable obscurity of the ancient state of the peerage, it calls in question the rectitude of judgment with which the house has hitherto decided on claims before them. Yet, their lordships’ journals bear ample proof that whenever their lordships have, on any occasion, been in doubt, they have called the learned judges to their assistance, and having heard their arguments and opinions, have conformed their resolutions to the principles of law and justice. Past ages have had characters as celebrated for their legal knowledge and integrity, as any of the highest names of more recent times; why, then, should it be presumed, that ignorance and inattention have hitherto prevailed, and that the subject is now likely to be comprehended with more profound wisdom, and better understanding?

The object of the lords’ committees of research has proceeded from an anxiety to explode the claim of barony by tenure; and of barony by personal writ of summons: the report most pointedly refers to the claim of the barony of Marmyon, of Scrivelsby, founded upon the ancient and never-forfeited tenure of that manor; which claim being before the lords’ committees of privileges, under an order of reference from the king the very singular and peculiar circumstances attached to the nature of its pretensions, called forth this committee of research, which, with all its powers for investigation, have *only conceived* that, *perhaps, inferences* may be fairly drawn from what has passed in a later period, to *induce a conclusion*, that whatsoever may have been the law in earlier times, that law is no longer in force. After all, it must be evident, that the nature of the dignity of the peerage must be deemed to be different, in different persons, according to the different means by which the rights to such dignities respectively may be supposed to have been acquired; and that, *as such*, a rule of law, which might be applicable to the dignity of peerage vested in one person, might not be applicable to the same degree of dignity vested in another.

Of the several degrees of the ancient peerage, and their respective natures, it may be necessary now to give some explanation.

BARONS.

NOTWITHSTANDING this degree of nobility is the junior, in point of rank, yet it is of the first degree in point of antiquity. The public records do not contain any evidence of absolute creation, as they do of the ancient earls, and consequently, the grant of lands, when specially limited to be holden by the service of barony, or, as it is termed in the old books, *per baroniam*, must be deemed to have conferred on the donee the dignity of a baron, to whom, in such character, the right of summons to parliament, in the mode it was then accustomed to be holden, became incident as a matter of privilege and distinction, co-equal with the tenure. In the characters of creation of the old earls, the grant of the third penny of the issues of the county, with the words *unde comes est*, have been taken as indicative of the creation and the girding with the sword, as the investiture into the earldom: *pari modo*; then the grant of lands to be holden *in capite, immediately of the crown, per baroniam*, may be considered the creation of the baronial honour, while livery of seisin may be esteemed the investiture into the actual barony, and homage may be looked upon as the royal acceptance of the service, and approbation of the dignity: for those who held of mesne lords were bound to the king only by the oath of fealty.

Among the companions of the Conqueror, were divers earls and barons of Normandy, on whom he bestowed vast possessions in England, where they, for the greater part, thenceforth thought proper to reside. These eminent persons cannot be imagined to have accepted their grants to hold of the crown in an inferior degree of rank, to that whereby they possessed their honour in their own country: they, *ipso facto*, were barons in virtue of their territorial acquisitions; and, till after 49 Hen. III., most unquestionably were accustomed to be called to the legislative assemblies of the nation, by reason of those tenures, of which, the parliamentary privilege was a franchise.

Those freehold tenures holden immediately of the crown, after the completion of the conquest, which were deemed lay fees, consisted of tenures by knights' service, tenures by serjeanty, and tenures of lands of the king's demesnes, paying only some certain rent or render. Knights' service was undoubtedly military service. Tenure, immediately of the crown, by serjeanty, was of two sorts: that denominated grand serjeanty, consisted of some service respecting the king's person or dignity,—as to be his constable, marshal, champion, chamberlain, butler, or similar service specially attached to, or performed about, the king's person. Petit serjeanty was some particular inferior service, not strictly military, or personal to the king, but esteemed of that species called tenure in socage,—a term applicable to all freehold tenure of the crown, which was not deemed military tenure. But *lands holden by grand serjeanty, were considered illustrious*,*

* Peerage
Rep. p. 31.

owning no superior but the king. These lands, upon the death of the ancestor, were upon inquisition, finding the tenure and death of the ancestor, seised into the king's hands. If the heir was under age, *i. e.* twenty-one, the king retained the possession, having the intermediate custody and marriage of the minor in wardship. If the heir was at the years of majority, he was intitled to demand livery of the lands by the king's officers, on paying a relief, and doing fealty and homage; the relief being fixed both by the Magna Charta of king John, and that of Henry III., at a certain rate, according to the rank of the person; viz. for an earl, *one hundred pounds*;^a for a baron, *one hundred marks*.—Thus, tenure *per baroniam*, comprehending a *certain degree of rank in the state*, was acknowledged by the provisions of the legislature.

In the reign of Henry II., that monarch had to maintain a contest with the usurpations of the see of Rome, which produced the Constitutions of Clarendon, which, according to the evidence of history, were made in an assembly or concilium, convened in the 10th of his reign.

* MS. Cott.
Claud. B. f. 26.

A copy of these constitutions is preserved in the British Museum: * they are in the form of a declaration and recognition, in the presence of the king, of a certain part of the customs and liberties and dignities of his predecessors. The 11th Article of this constitution provides, viz. “*Archiepiscopi, episcopi, et universæ personæ regni qui de rege tenent in capite, habent possessiones suas de domino rege sicut baroniam, et inde respondent iusticiis et ministris regis et secuntur et faciunt omnes, rectitudines et consuetudines regias, et sicut barones cæteri debent interesse iudiciis curiæ domini regis, cum baronibus usque perveniatur in iudicio ad diminutionem membrorum vel mortem.*”

From this article, it seems, that the persons therein styled “*Barones cæteri*,” were, as barons, bound to attend the king's supreme court of justice, and that the archbishops and bishops, and others of the clergy (abbots and priors), who had their possessions of the king in capite, sicut baronias, were bounden to attend the same court, *Sicut barones cæteri*, by reason of their tenures; from which it may be concluded, that it was by reason of *their tenures* that *other barons* were bounden to attend the king's court. Now, all those who held immediately of the crown by military service, held by honorable service, and might, therefore, be deemed the king's barons, though the extent of their possessions and number of knights' fees, for which they were bounden to perform military service, might be very different; yet, unless they held their said possessions *per baroniam*, or *sicut baronias*, it may be questionable how far they were bounden to attend the king's supreme court, as expressed in this article. By Domesday Book, the tenants of the crown appear to be above seven hundred; yet the number of earls and barons are, by

^a Si quis, &c. de comitat. integro per c. lib. hæres Baron, per C. Marcas. Hæres Mil. C. Solidos.—Mag. Chart. cap. 2.

Camden, stated not to have exceeded three hundred; so that it must be evident, that while the king's barons were tenants in chief of the king, all tenants in chief of the king were not the king's barons, or *barones regni*.

The charter of king John, requiring special writs to be sent to those persons designated as *majores barones*, must be viewed to have been adopted to distinguish such persons from others, to whom the word *barons* without distinction might have applied.^a Whether this distinction originated in that charter, or had a more early origin, there are no records to decide: yet, from the instrument itself, it may be presumed that the term *majores barones*, was a term and distinction then well understood, and, consequently, was not a *concession*, but a *confirmation* of an *antecedent right*.^b

The result of those documents affords reason to believe, that, from the conquest to the close of the reign of John, the great council of the nation consisted only of persons falling under the general denomination of barons, who, from being the military tenants of the crown, were accustomed to be summoned to perform the services, due by their tenures, in two ways—by special writs, and by general summons. That the persons, to whom the first kind of writs were directed, were such as, in the constitutions of Clarendon, were mentioned as holding their lands *sicut baronias*, in which distinction were included prelates, distinguished by their respective ecclesiastical dignities; and earls also, distinguished from the barons, by that particular title of dignity. Yet, in fact, though thus contradistinguished from each other, they were members of the supreme court, or legislative assembly, as barons, or peers to each other, in respect to their equality of holding their possessions *sicut baronias*. It is to be remarked, that notwithstanding the charter of 9 Hen. III., does not contain the clause of the Runnimede charter of king John, respecting the mode of summoning the tenants in capite of the crown to the *commune concilium*; yet, the form of convocating parliament has continued to the present day, in conformity to the said clause: the nobility or peers being summoned by *the special writs*, and the members of the lower house, or house of commons, by the *sheriff's writ*, generally.

^a The word *baro*, in many instances, included all the immediate tenants of the crown, by military service; and sometimes it was applied to the freehold tenants of a manor: but, in this instance, the denomination of *majores barones*, seems decidedly confined to those only, who were esteemed the *king's barons*, or *lords of parliament*; namely, persons, higher in dignity than those meant to be summoned by the writ addressed to the sheriffs of the counties.

^b The charter of 9 Hen. III., printed in the authorised collection of statutes, and which is deemed therefrom "the Great Charter of the Liberties of the Kingdom," omits, as the two preceding charters of Henry did, the clause in the charter of John, respecting the summoning "the Commune Concilium," for assessing aids and sentages, yet, it adds, (as in his second charter) "*Scutagium de cetero capiatur sicut capi solebat tempore regis Henrici avi nostri*." Though the clause aforesaid is omitted, yet, by this insertion provided, the mode of summoning *majores barones* prevailed in the time of Hen. II., the privileges of the baronage became admitted; and indeed the right of the baronage, or commune consilium of king John, to be summoned for the granting of aids, may be justly appreciated as a right never attempted to be infringed, otherwise than by the false assumption of a despotic power, which, in the instance of Cha. I., in the case of ship-money, led the mistaken monarch to the block.

With regard to the law pretended to have been passed after the surrender of Kenilworth, that no earl or baron should come to parliament without being specially summoned thereto by the king, it has already been dilated upon, that while the law itself is very doubtful as to having been enacted, yet it never could be intended thereby to destroy the right of the tenant of the king, *per baroniam*. For, as the relief to be paid by the heir of an earl or baron comprised a part of the royal treasury fees, or rather revenue of the king, it cannot be supposed for a moment, that a man so continually in want of money as Henry was, should have consented to a law that must have affected his *droits of prerogative*. Nor can it be accredited that the spirited nobles of that day would have continued to have paid for earldoms and baronies, and yet have been deprived of the privileges attached to tenures, subject to so heavy an imposition. During the reigns subsequent to Henry, there are numerous instances of the respective monarchs taking the homage of their tenants in capite for their baronies; and on these facts it is to be observed, that if the baronies had not been derived from land, the escheator could not have executed the king's writ of inquisition on the death of the ancestor; nor could the king have had the custody and marriage of the heir in case of minority. On a personal barony, created by writ of summons, no custody could be had; for there was no revenues to benefit the royal coffers, and the escheator could not take into his hands that, of which no possession could be given.

Though, by a continual and progressive alienation of lands, many of the once great nobility of the realm contributed to their own disfranchisement; yet, there are, indubitably, some honours still remaining, whereof the descent has been founded on the right of tenure.

THE BARONY OF WAHULL.

It has been asserted by the lords' committees in various parts of their peerage reports, that the right of barony by tenure, *if it ever existed*, was completely exploded before the end of the reign of Edw. II. Now, had this been really the fact, it is strange that the crown, in the reign of Edw. III., should have directed writs of summons to parliament to several abbots, whose only right to be summoned could arise from their tenures, according to the assize of Clarendon. But the abbots *denying their tenures*, claimed exception.

The inclination of the clergy for power has generally been considered very cupidinous; and as such it might be inferred, that they would sooner have embraced, than have opposed, the writ which was to place them in the rank of spiritual peers.

Though very few of the ancient baronial tenures were remaining entire, and unalienated into the hands of strangers, yet had not the legislature believed there were rights,

either extant or dormant, of such a nature, why should the saving-clause (before cited) in the Act of Suppression of the Court of Livery and Wards, have been inserted? Even when the abolition of the Court was contemplated, the 8 James I.,* it was observed, that, though the tenure in grand serjeanty were taken away, the service of the honour should be saved, wherein the tenures, *per baroniam*, as it may concern bishops and barons, or men in parliament, should be considered.

* Jour. Dom.
Proc. vol. 2.
p. 574.

In the reign of James I. Sir Richard Chetwode, being seised of the manor, or castle, of Wahull or Woodhull (now called Odell), in Bedfordshire, claimed the dignity of a baron of the realm, founding his claim on his possession of the same, and its ancient tenure *per baroniam*. The claim is said to have been referred to the Duke of Lennox, the lord Howard, and the earl of Nottingham, as commissioners. Their certificate was as follows; viz.

“According to your Majesty’s direction, we have met and considered the petition of Sir Richard Chetwode, knight, and find that the petition is true; and that *before any usual calling of barons by writ, his ancestors were barons in their own right*, and were summoned to serve the kings in their wars with other barons, and were also summoned to parliament. And we conceive the discontinuance to have risen from the lords of the honour dying at one year of age, and the troubles of the time ensuing; but still the title of baron was allowed in all the reigns by the conveyances of their estates, and by pardon of alienation from the king’s own officers, and 9*l.* per annum, being the ancient fee for the castle Guard of Rockingham, was constantly paid, and is paid to this day; so that, *though there has been a disuse*, yet the *right so fully appearing, which cannot die*, we have not seen nor heard of any one so much to be regarded in grace, and in consideration of so many knights’ fees, held from the very time of the conquest, and by him held at this day, and a pedigree, both on the father and mother’s side, proved by authentic records from the time of the Conqueror, (which, in such cases, are very rare,) we hold him worthy the honour of a baron, if your Majesty thinks fit.”

This certificate certainly does not recommend that Sir Richard should be summoned to parliament as a baron by tenure, notwithstanding it suggests the propriety of granting to him the dignity of a baron.

The journals of the house of lords are silent as to the petition of claim; from which it may be inferred, that the reference made by his Majesty to certain persons, as commissioners, was similar to the practice of the present day, in referring such-like petitions to the previous consideration of the Attorney-general, for his opinion as to the merits thereof. Nothing, therefore, seems to have been done on this certificate, in the nature of an investigation before the lords’ committees of privileges, so as to obtain their lordships’ decision upon the question of right. But if the several observations of the commissioners, viz. that the *petition is true*; that *before any usual calling of barons by writ, his ancestors*

were barons in their own right ; that, though there has been a disuse, yet the right so fully appearing, which cannot die, &c., are observations founded upon a correct impression of the subject, there seems to be, in the case of claim of *Marmyun of Scrivelsby*, most ample ground to believe that the claimant has made good his pretensions; or, at least is worthy the honour of a baron.

Many objections are made by the lords in their peerage reports, on the serious consequences which might attend on the allowance of a claim by tenure at this day; particularly such as might arise upon alienation of the baronial estate; but, for what reasons these consequences should be more serious now than in former times, may be somewhat difficult to define; inasmuch as, all decisions should be upon the question at issue, namely, *right, or no right*. All consequences as to alienation, such as *of lord, to-day, and not to-morrow*, may be readily settled by a parliamentary enactment, against the subsequent alienation of the land, when it has once been admitted to give right to dignity. It is beyond all doubt that the claims from tenure, dependent on the seisin of ancestral land, must be by far less numerous than those claims which are almost daily arising from their lordships' reiterated decisions, with regard to the descent of titles created by writ of summons. The benefit from one claim is to allow rank to persons of property: the evil from the other is, to allow rank to persons who may not have property to sustain it.

The principal inconvenience anticipated by the lords' committees (before mentioned) discloses itself in one part of their report,* that *dignities by tenure, must, on principle, have precedence of those who now enjoy the dignity of peerage, but whose titles can only be founded on evidence of the writs (or patents) now remaining on record*. And again in another part † viz. *That the existence of such a right, as inherent to land, would supersede the discretion of the crown in selecting persons, on whom it might be thought fit to confer the dignity of peer of the realm, &c.*^a

* Third Rep.
p. 236.

† Rep. p. 397.

Before closing this dissertation, it may not be deviating too far from the subject to observe, that the right incident to the tenure of lord, bears some resemblance to the right of a bishop claiming also to be a lord of parliament. The dignity of a bishop, simply, is merely personal; but the right of a bishop to be a lord of parliament, is in the nature of a franchise annexed to the temporalities of his see: his dignity as a bishop is spiritual; his franchise of a lord of parliament is temporal, and arises from the possession of the temporalities of his see. He is a bishop from his consecration; but he is not a lord of parliament until invested with the temporalities of the see, to which he is promoted, and till then he cannot have a writ of summons to take his seat in parlia-

^a It is much to be regretted, that a certain extent of landed estate should not be settled to follow the inheritance of the peerage dignity; but that might be deemed to render the peerage too independent of the crown; while want of estate retains them subservient to it, in seeking from the sovereign pensions, places, and favour, which otherwise they would not seek to become the humble servants of a minister.

ment—the right thereto being attached to the temporalities, and not inherent to the spiritual dignity of the bishop. When translated from one see to another, his seat in parliament ceases, in consequence of his cession of that see, by his translation to another; and he does not become intitled to his seat again until invested with the temporalities of the new see, to which he has been translated, and receives a new writ of summons by the style of his new dignity. So, if any person is now intitled to a writ of summons to parliament, by virtue of tenure of land, he must claim that writ, as a franchise appurtenant to that land.

TENURE PERVERTED TO A PERSONALITY.

THE arbitrary and mercenary conduct of the monarchs of ancient times, especially when they wanted money, and had to seek a cause for extorting it, led the great barons by tenure to endeavour to evade these vexatious proceedings.

Barony, by tenure, was both burthensome in point of service, and expensive in point of rank; particularly, as amerciaments, for often pretended offences, were, so far as related to them, of an exorbitant quantum. By clauses in the great charter of John, which were also in those of Hen. III. and Edw. I., it is provided, viz. "*comites et barones non amercientur nisi per pares suos*," all other persons being to be amerced, "*per sacramentum proborum et legalium hominum de visneto*."

The dignity of their rank being thus defined, the proof depended upon the nature of their tenure: and thus divers barons, as Furnival and Braose, though their ancestors had been summoned to parliament by special writ, did not consider that they were by such writs *created barons*, but that the said writs were appurtenant to the tenure of their lands, and, therefore, to avoid a fine in the character of a baron, or to extenuate the amount of relief, they pleaded they did not hold any lands of the king *by barony*. If the writ was creative, and not a franchise attached to the tenure, the record of the writ would have been evidence of barony.

The effect of charging persons holding by barony with amerciaments and reliefs, *as barons*, induced a very general disposition to sub-infeudation, and this sub-division at length became so minute, that amercing of the multitude, who held small parcels of land by parts of a barony, would have been grossly oppressive, and probably was eventually found to be so, and at last abandoned without any express legislative provision on the subject. Licence for the alienation of crown tenures being a branch of the royal revenue, was, no doubt, then readily obtained; and it answered two purposes: it brought money to the royal treasury, and it rendered less sturdy and powerful the baron who made the alienation.

Property thus frequently changing owners, the baron who had at first been summoned to parliament in virtue of his tenure, continued afterwards (if summoned at all) to be summoned as of his own person, and thus from a baron, *great in his own right*, he became perverted to *a baron of grace*; and the emblem of territory was enveloped in a personal shadow.

OF DIGNITIES BY WRIT.

SELDEN observes, that, in consequence of the practice of summoning persons to parliament, who did not hold *per baroniam*, barons became divided into two kinds, viz: barons by writ and tenure, and barons by writ only. Barons by writ and tenure were such as, having possession of their ancient baronies, were called by several writs to parliament, according to the stipulation made in king John's Magna Charta, respecting the barones majores. Barons, by writ only, were such as were called by a like writ of summons, although they had no possessions of the description of land baronies. And Sir William Blackstone* observes, that, in consequence of this practice, actual proof of a tenure by barony became no longer necessary to constitute such a person a lord of parliament; but the record of the writ of summons, to him or his ancestors, was admitted as sufficient evidence of the fact.

* 1 Comm.
p. 400.

A writ of summons of this nature has not the effect of conferring a dignity on the person summoned, until he has actually taken his seat in parliament by virtue of the writ; so that, where the party was summoned and died before the meeting of parliament, it was held that he was not a peer.

† 12 Rep. 78.
1 Inst. 16. b.

In the parliament holden 8 Jac. I., a question† arose, whether Edward Nevill, who was called by writ to parliament the 2 & 3 Queen Mary, and died before that parliament met, was a baron or not. It was resolved by the lord Chancellor, the two chief justices, chief baron, and divers other justices, there present, "That the direction and delivery of the writ did not make him a baron, or noble, until he came to parliament, and there sate accordingly to the commandment of the writ; for, until that, the writ did not take its effect. And in 39 Hen. VI. he is called a peer of parliament, which he cannot be until he sits in parliament; and he cannot be of the parliament until the parliament begin."

"And forasmuch as he hath been made a peer of parliament, by writ, (by which implicitly he is a baron,) the writ hath not its operation and effect until he sit in parliament, there to consult with the king and the other nobles of the realm; which command, by his supersedeas, may be countermanded; or the said Edward Nevill might have excused himself to the king, or he might have waived it, and submitted to his fine, as one who is distrained to be a knight, or one learned in the law is called to be a serjeant:

the writ cannot make him a knight, or a serjeant. And when one is called by writ to parliament, the order is, that he be apparelled in his parliament robes; and his writ is openly read in the upper house, and he is brought into his place by two lords of parliament, and then he is adjudged in law *inter pares regni*."

The proof of a sitting in parliament under the writ of summons, must be by the records of parliament; for chief-justice Coke says,* "if issue be joined in any action, * 1 Inst. 16.b. whether a person be a baron, &c., or no, it shall not be tried by a jury, but by the record of parliament."

In the case † of Norborne Berkley, Esq., claiming to be one of the co-heirs of the ancient barony of Botetourt, created by writ 1 Edw. II., the proofs of the sitting consisted of ancient records of parliament; and the following observation on that evidence are stated in the case which is signed by the honourable Charles Yorke; viz. "If an objection can be framed to these records, as evidence of a sitting in parliament, such objection must be taken either to the competency or to the effect of such evidence; an objection to the competency of the evidence can only take its rise from its being usual in claims of this nature, to prove the sitting by the journals of the house of lords; from whence it may possibly be inferred that no other evidence is admissible to prove a sitting in parliament."

† Coram.Dom.
Proc.

Answer 1st.—"It has never been laid down, that the sitting in parliament must be proved by the journals of the house of lords; but all the authorities agree in establishing this rule, that the sitting must be proved by the records of parliament. The house of lords has, in questions of this nature, given credit to their journals, where a sitting could be proved by them. But that practice, which seems rather an indulgence to the claimant, can never be construed to establish the authority of the journals above the records; for, in strictness, journals are not records, but remembrances for form of proceeding to the record; they are not of necessity, neither have they always been; they are not any record, but notes and memorials for the clerks to perfect and enter the records. But the evidence here stated, is that of the records of parliament; the first record being strictly an act of parliament, and the others, full and complete records of transactions in parliament; all entered upon the proper rolls, and produced from the public archives.—It is, therefore, evidence, not only of an equal, but, in most cases, of a superior authority to the journals; and in this question, it is strictly and properly that evidence, which the law requires to support the inheritance of a peerage."

Answer 2nd.—"The state of the journals is such, that this objection could not be allowed without great danger to the ancient baronies; there are no journals before the reign of Henry VIII. nor are they regularly preserved since that reign; an ancient letter prefixed to the journal book of Hen. VIII. intimates, that several journals were taken away and suppressed by Cardinal Wolsey. It does not seem reasonable that either this

accident, or the neglect of a clerk to the journals, should be of any prejudice to the nobility in the inheritance of their honours ; and yet if no barony could be claimed without proof of a sitting by the journals, all those ancient baronies which have been united with higher honours before the reign of Hen. VIII. or during those years of which the journals have been suppressed must be lost."

* i. e. Grey,
of Ruthyn.

Answer 3rd.—"Baronies have, in fact, been allowed, though no sitting could have been proved by the journals. In the case of the barony of Ruthyn,* 1640, the claim to that barony was allowed, upon great deliberation, and very accurate enquiry ; though it is evident, no sitting could have been proved by the journals, because there was no person summoned under that title, from the second year of Edw. IV. ; the Lord Grey, of Ruthyn, being soon afterwards created earl of Kent.

"The barony of Moubray was revived without objection, in favour of Henry, eldest son of the earl of Arundel, though no person had been summoned under that title from 39 Edw. III.^a Algernon, duke of Somerset, took his seat in the house of peers, as baron Percy upon the death of his mother, in 1722, without objection,^b though no sitting could have been shewn from the journals, no person having sat in right of the old barony of Percy, from 50 Edw. III. ; and lastly, no sitting can be proved by the journals in the case of the barony of Le Despenser.

† 1 Inst. 9 C.
16. 6.

Although the writs of summons to parliament, whether addressed to persons who were not at the time peers of parliament, or to ancient barons, (for in both instances the writ is similar,) do not contain words of limitation to the heirs of the person summoned ; C. I. Coke † was clearly of opinion, as a point settled, that where a person is summoned by writ, and takes his seat, *his blood* is ennobled to him, and his heirs lineal.

‡ Enquiry,
p. 32.

This doctrine, however, has been controverted by Mr. Prynne, Mr. Elsynge, and Mr. West, the author of the "Enquiry into the Manner of Creating Peers," in which treatise it is observed.‡

That in order to judge more clearly what operation in law this writ would anciently have, it must be considered, that it could not possibly be directed but to three sorts of persons ; that is, either to such as were *tenants in capite per baroniam*, or to such as were only *tenants in capite by knight's service*, &c., or else to such as were *not the immediate tenants of the crown at all*.

As to the first of these, they were obliged to attend if summoned, and as they were already barons by their tenure, when they were in parliament, they had undoubtedly, in consequence of their writs, a right to vote in all questions whatsoever. As to the second,

^a As the question of right by descent never came before the house for enquiry in a committee of privileges, no objection could be offered. The seat was taken in obedience to the king's writ, and not under an order of reference upon claim.

^b This case is similar to the preceding.

they also, by virtue of their oath of fealty, were obliged to attend, if summoned; but then, when in parliament, it may be doubted, whether they had more than *a deliberate voice of counsellors*, or *if of voting*, whether only *pro hac vice*. As to the third, they were not by law obliged to obey the writ: but yet, if they voluntarily chose to attend, they, like the second, were in all probability no otherwise than as assistants to the house, or invested with any legislative privilege, further than as before observed, *pro hac vice*.

But, as the pretensions of these last described persons to the full rights of peerage, can only be by virtue of the writ that summons them to parliament, the question follows, how far the words of the writ are operative to confer upon the persons summoned by it, the right of barons *to them and their heirs*.

* It is a known rule in law, that the king's grant cannot enure to two intents, especially when one of them is clearly expressed, and the other is not. Now if this writ of summons does create any person a baron or peer, it operates by way of grant, which must be by the implication of an intent, which is not only not expressed, but which is also perfectly foreign to that which is, and which therefore (at least in every thing but this writ) could be in law only intended; for the intention of the king, clearly expressed in the writ, is *not to create* the person summoned *a baron*, but only to require that he should attend upon a certain day *to consult and treat* with him concerning the affairs of the nation,^a which certainly may be done without his being a baron.

* Plowd. 333.
4.—Coke, 1
Rep. 48, 32—
3 Rep. 73, 74,
&c.

Whoever shall look into the writ, will find it personal to the man to whom it is directed and that it is so far from creating him a *baron*, or hereditary peer of the realm, that neither the words *baron*, *barony*, nor *heirs*, are to be found in it. For the more clear explanation of the words of the writ, the following copies of several of them, both before and after the period of Magna Charta, and after *the perfection* of parliament, *as it is termed*, which is considered to have taken its commencement at the latter end of the reign of Henry III., and to have been established in that of Edw. I., are here inserted.

Claus Rot. 6 John, m. 3. p. Dors.

R. Ego salutem mandamus vobis rogantes quatenus omni occasione, et dilatione postposita sicut nos et honorem nostrum diligitis, sitis ad nos apud London die dominica

^a These terms in the writ evidently point out a degree of distinction between those who were the established barons or peers of the realm, and those persons who, for their wisdom or experience, were summoned to give advice. For, the former, by the hereditary tenures, were interested in the welfare of the nation and the preservation of their privileges and estates, in common with the crown itself, of whom they held them. They were hereditary lords and counsellors of the king: as such their writ was—*ex debito juris*. But the latter persons, summoned by the same writ, in the same words, and at the same time, appeared to be required to give their attendance *ad tractandum*, not by virtue of any interest *ex hereditate*, which they had in the affairs of the nation, but by reason that the king deemed their skill and abilities useful to the purposes of advice and deliberation. As such, their writ was *ex gratiâ*, and in that respect to be considered, *pro hac vice*. Vide Lord Holles's Remains; Second Letter, p. 21.

proxime ante ascensionem domini nobiscum tractaturi de magnis et arduis negotiis nostris et communi regni nostri utilitate, quin super his quæ à rege Franciæ per nuntios nostros et suos nobis mandata sunt, unde per dei gratiam bonum speramus provenire, vestrum expedit habere consilium et aliorum magnatum terræ nostræ quos ad diem illum et locum fecimus convocari vos etiam ex parte nostra et vestra abbates et priores, conventuales totius diocesis citari faciatis, ne concilio prædicto intersint, sicut diligunt nos et communem regni utilitatem.—T. &c.

* Tit. Hon. p.
708.

This writ^a appears to be the most ancient upon record, as Selden writes,* and was addressed to the bishop of Salisbury. But the roll that has this writ, has no such note of *consimilia*, to the rest of the barons, as is usual in other close rolls where summons to parliament are entered: but from the body of the writ it appears, that the rest were summoned.

Claus. 26 Hen. III., Dors. m. 13.

Henricus, &c. venerabili in Christo patri Waltero Eboracensi Archiepiscopo Salutem. Mandamus vobis quatenus nos et honorem nostrum paritèr et vestrum diligitis et in fide quâ nobis tenemini, omnibus aliis negotiis omissis, sitis ad nos apud London à die 5 Hilarii in xv. Dies ad tractandum nobiscum, una cum cæteris magnatibus nostris, quos similiter fecimus convocari, de arduis negotiis nostris, statum nostrum et totius regni nostris specialitèr tangentibus et hoc nullatenus omittatis.—T. me ipso apud Windlesoram xiv. Die Decembris.

This writ is subscribed with eodem modo scribitur omnibus Episcopis, Abbatibus, Comitibus, et Baronibus.

Claus. 49 Hen. III. Dors. m. 11.

Henricus dei gratiâ Rex Angliæ Dom. Hybernæ et Dux Aquitaniæ, venerabili in Christo Patri R. eâdem gratiâ Episcopo Dunelm' Salutem. Cùm post graviaurbationum discrimina, dudum habita in regno nostro, chariss' filius Edw. primogenitus noster, pro pace in regno nostro assecurandâ et firmanda, obses traditus extitisset; et jam sedatâ (benedictus Deus) turbacone prædictâ super deliberationem ejusdem salubritèr providenda,

^a Although this writ is the earliest to be found among the records, it is certain that the same form of convocation was in use before then, for, though the writ cannot be found, yet there is evidence (Rot. Mag. 5 Ric. 1 M. Lond & Middx.) that Richard I. summoned a parliament to meet at Oxford, as, in the roll of the accounts of the sheriff of London and Middlesex, it is thus mentioned, (Rot. Mag. 5 Ric. 1. M. Lond. & Middx.), viz. "*Laurentio Ostiario xx. Solidos ad deferendas Summonitiones Regis per Angliam, pro concilio convocando apud Uxunford, per Breve Regis.*"

et plenâ securitate, tranquillitate et pacis ad honorem Dei, et utilitatem totius regni nostri firmandâ, et totalitèr complenda; de super quibusdam aliis regni nostri negotiis, quæ sine consilio vestro et aliorum prælatorum et magnatum nostrorum, nolumus expediri, cum eisdem tractatum habere nos oporteat: Vobis Mandamus, rogantes, in fide dilectione quibus nobis tenemini, quòd omni occasione postpositâ et negotiis aliis pretermisissis, sitis ad nos London' in octabis sancti Hillarii proximè futuris: nobiscum et cum predictis prælatis et magnatibus nostris, quos ibidem vocari fecimus, super præmissis tractaturi, et consilium impensuri: et hoc sicut nos et honorem nostrum et vestrum, necnon et communem Regni nostri tranquillitatem diligitis nullatenus omittatis. Teste Rege apud Wigorniam, 14 Die Decembris.

Item in formâ prædictâ Mandatum est Comitibus et aliis subscriptis Dat. apud Wodestock, 24 Die Decembris, viz. to five earls and eighteen barons only.

But the preceding exemplar writ to the bishop of Durham was *eodem modo*, addressed by consimilar ones to one hundred and twenty spiritual persons, bishops, abbots, priors, and deans.

Claus. 23 Edw. I. Dors. m. 9.

Rex dilecto et fideli suo Edmundo fratri suo, comiti Lancastriæ Sal^m. Quia super quibusdam arduis negotiis nos et regnum nostrum, ac vos cæterosque proceres et magnates de eodem regno, tangentibus, quæ sine vestrà et eorum præsentia nolumus expediri, parliamentum nostrum tenere, et vobiscum super his colloquium habere volumus, et tractatum; vobis mandamus in *fide et homagio* quibus nobis tenemini firmitèr injungentes quòd sitis ad nos apud Westm' primo die mensis Augusti proximo futuro, vel saltè m infra tertium diem subsequentem ad ultimum, nobiscum super dictis negotiis tractaturi et vestrum consilium impensuri, et hoc nullo modo omittatis. Teste meipso apud Album Monasterium, xxij. die Junii, anno regni nostri xxij.

Per breve de privato sigillo-eodem modo, it was commanded by consimilar writs directed to ten earls and fifty-three others, whereof the heirs of not less than twenty-six are yet remaining.

The form of summons to the judges, &c. was—

Rex dilecto et fideli suo Gilberto de Thornton Sal^m. Quia super quibusdam arduis negotiis nos et regnum nostrum ac vos *cæterosque de consilio nostro* tangentibus quæ sine, &c. Ut suprâ, vobis mandamus in *fide et dilectione* quibus nobis tenemini, &c. Ut supra in mandato comitum et baronum usque in finem.—Test. &c.

By this exemplar writ, the distinction between the one to the nobles, and the other to the judges, is made manifest. But in the following exemplar writ, by which the *peers and judges*, &c. were alike summoned, no such distinction appears.

Claus. 9 Edw. II. Dors. m. 22.

Rex dilecto consanguineo et fideli suo Thomæ comiti Lancast' salutem. Quia super diversis et arduis negotiis, &c. Mandamus *in fide et homagio* quibus nobis tenemini, firmitèr injungentes, quòd dictis die et loco omnibus prætermisiss *personaliter intersitis*, ibidem nobiscum et cum prælatis et *cæteris magnatibus et proceribus de regno nostro*, prædicto super dictis negotiis tractaturi vestrumque consilium impensuri, et hoc nullatenus omittatis; teste rege apud; decimo sexto die Octobris.

* Claus.
illorum Ann.

The writs to the succeeding parliaments of 11, 12, 13, & 14 Edw. II.* are similar as to summoning the peers, justices, and king's council, without distinction.

At the æra when the first of these writs bears date, it is certain that none but peers by tenure had existence: it is equally certain, that at the time when the second was issued, the baronage of the kingdom was not in its nature altered. At the period when the third was sent, to call together the parliament, summoned by Simon de Montfort in the king's name, it is manifest that it was to a partial number of the nobility; and that as such, whatever might have been the express words of the writ, no title of creation to any dignity could be derived therefrom, more than from the writs of summons, or patents, whereby any of the persons advanced to the rank of peers, by Oliver Cromwell, were legally constituted hereditary barons of the realm.

With regard to the fourth writ of summons, which was addressed to divers persons who were not barons by tenure, as well as to divers others who were; it presents an extraordinary circumstance of difficulty to define, that if one description of persons summoned were hereditary peers, and the others not, by what sound argument it can be maintained, that the *same writ*, in *the same words*, confirmed to the old baron his ancient right; but, to the chevalier or commoner, conferred a new dignity.

It is agreed, that the king cannot by his letters patent create any man a peer, either for life or in tail, or in fee simple, without express words of creation in the patents for that purpose: it seems, therefore, reasonable and equally necessary, that special words of creation ought likewise to be inserted in the writ, or that otherwise the writ cannot operate so as to create an hereditary baron or peer,—such as, for instance, was adopted in the case of Sir Henry de Bromflete, who being summoned to parliament 27 Hen. VI., this clause was inserted into his writ; viz., "*Volumus enim vos et hæredes vestros masculos de corpore vestro legitime exeuntes barones de Vescy existere.*" This writ has generally been supposed to have been the creation of a new barony: but it seems rather to have been a determination of the abeyance of the barony of Vescy†, which having fallen among the three co-heirs of Aton‡, was now granted to Bromflete, derived from Anastasia the eldest co-heir, with a special limitation of descent to issue male, so as in default thereof to vest the reversion of the old barony in the representatives of the other two co-heirs.

† Banks's
Dorm. et Ext.
Bar. Vol. II.
‡ Tit. Aton.

My lord Chief-justice Coke says, in several places,* that the writ of summons to parliament is unalterable, otherwise than by authority of parliament; though (perhaps, if it was necessary) it might be shown, that till within the last three hundred years there scarcely ever was two of them together alike. And, indeed, he himself seems aware of this truth, for on another occasion he observes, that one of the differences between the writs to the lords, and those to the judges, was, that the writ to the lords ran thus; viz. “*Quod intersitis nobiscum ac cum cæteris prælatis, magnatibus, &c.*” And was peculiar to the peerage, the judges being only summoned: viz. “*Quod intersitis nobiscum ac cum cæteris de consilio nostro, &c.*”; and yet that word *cæteris*, is not in the writ, which in Nevill’s case he himself† commends as excellently well drawn.

* 4 Inst. 10
et Alibi.

† 12 Rep.

Others have thought that the putting in, or leaving out, the word *cæteris*, was the peculiar mark of difference; yet, in 25 Edw. I.,‡ the judges were summoned by directly the same writ, with the barons of parliament, as such, if the writ of that date was creative of a peerage honour to one party, it appears that it ought, with equal propriety, to be effective to the other.

‡ Rot. Claus.
25 Edw. 1.
Dors.

In the 1 Edw. II.,§ after the writs to the barons, the same follow to above thirty other persons, as assistants, with this difference only, that the words *in fide et homagio*, are left out: the note,|| however, at the end of it, is remarkable; viz., *Nota quòd in hac summonitione justitiarii ac alii de concilio domini regis, intermixti tunc cum baronibus.*

§ Ibid. Edw. II.
Dors. m. 11.

|| Dudgd.
Summ.

In divers other years, during the reigns of Edward II. and III., the same writs are directed¶ to both barons and judges. To these, many other instances may be added; ** it remains then only to remark, that, if the king’s writ to the judges, contained in terms similar to the nobility, did not constitute them, or their heirs, peers of the realm; the same writ directed to other persons, otherwise than the *tenants per baroniam*, could not create them peers either for life or with an inheritable fee.

¶ Ibid.
** Ibid.

Now, if it be admitted for law, that the direction of a writ of summons to any person, with a sitting under it, renders him a peer of the realm, to hold to himself and his heirs, it follows, that every one to whom such writ was ever addressed, and especially where the same shall have been repeated in continuation to several parliaments, was thereby created a baron to him and his heirs, who had thenceforth a right to demand their writ of summons *ex debito justiciæ*. Yet, if the lists of summons†† from 49 Hen. III. to 23 Edw. IV. be examined, there will be found the names of innumerable laymen, who have been summoned to parliament, some only once, others several times in succession; yet these persons never seem to have imagined that they had acquired a degree of nobility in their own persons, transmissible to their issue general; indeed, there is better reason to believe that a writ of summons was not at first considered to have been creative of an hereditary peerage; and this opinion is greatly corroborated by the claim to the barony of Frescheville, hereafter mentioned.

†† Ibid.

* Hist. Hen.
II., Vol. 3.
p. 382.

Lord Lyttleton,* who studied the early part of our history with great attention says, that the omission in summoning persons, who had been called to parliament by writ, or their descendants, may, *in many cases*, be accounted for, from the frequent and necessary absence of many of the peers on the king's service abroad, while the crown had great dominions, and almost perpetual wars on the continent; for, on such occasions, the omitting to summon them to parliament was no encroachment on their rights, but a proper exemption from a duty they could not perform. It might also have been done, not improperly according to the notion of those times, when the lands that constituted a barony, were seised by the crown for any default or defect of service, during the life of the baron.

† Cap. 4.

It should also be considered, that an attendance on parliament, at the period referred to, was burthensome, and that men were so far from being fond of coming thereto, that even those who were actually summoned, and by virtue of their *tenures per baroniam*, were obliged to attend, did so frequently absent themselves, that it was found necessary to pass an act of parliament, to enforce obedience to the summons; and, accordingly, it was enacted by 5 Ric. II.,† “That if any person, which from henceforth shall have the said summons, be he archbishop, bishop, abbot, prior, duke, earl, or baron, and do absent himself, &c., he shall be amerced and otherwise punished, &c.”

It is no wonder, then, that it was common for persons, who were not considerable enough to dispute with the crown, upon their being either invested, or left out of the writ of summons; or who, though they might be summoned, were not very desirous of that honour, to do all that lay in their power to suppress so much as the very knowledge of their being tenants in capite per baroniam, and as such bounden to give their attendance.

‡ Cruise on
Dignity.

These circumstances evidently corroborate the argument, that the writ of summons was not originally deemed a creation of an hereditary peerage dignity; but, however strong these, with other points that might be cited, appear to be against the doctrine of Sir Edward Coke, there can be no doubt,‡ that it was fully settled, when he wrote, that a writ of summons to parliament, and a sitting in pursuance thereof (except in the case of a spiritual person), operated as a creation of a dignity, and rendered it descendable to the lineal heirs male or female of the person first summoned: and this notion has been confirmed by so many subsequent decisions,§ that it is not (probably) to be shaken.

§ Journ.
Dom. Proc.
|| Ibid Vol.
XIII. p. 154.

The case of Frescheville is, however, deserving particular attention,|| It arose just after a decision of the house of lords, as in the petition of the claimant is set forth. The petition was as follows; viz.

“To the King's Most Excellent Majesty, &c., &c.

“That, whereas your petitioner, as lineal heir male to Ralphe de Frescheville of Staveley, who had summons to parliament among the barons of the realm in the 25th of

king Edward the First, hath been (through your Majesty's special grace and favour) advanced to the title and dignity of a baron of this realm, by letters patent, bearing date the 16th of March, in the 16th year of your Majesty's reign : and whereas, upon a solemn debate in the house of peers, happening this present parliament, in the case of the lady Katherine O'Brien, lineal heir to Gervase lord Clifton, it was resolved, '*That the said Gervase Clifton being summoned to parliament by a special writ bearing date the 9th of July, in the sixth year of the reign of your royal grandfather king James, and sitting in parliament accordingly, was a peer and baron of this realm, and his blood thereby ennobled;*' your petitioner therefore conceiving, that, by the same reason, the blood of his lineal ancestor, by that summons and sitting in parliament in the time of king Edward the First, being then ennobled, and there never having since been any attainder in his family, which might legally intercept his claim to the honour of his said ancestor, so that he hath a just right and title thereunto, most humbly desires that he may be admitted to the same place and precedence in this present parliament, and in all other future parliaments, and other public convocations of the peers of this realm, as his said ancestor Ralphe de Frescheville anciently had enjoyed."

This petition was referred by his majesty to the Attorney-general, who made the following report thereon ; viz. "I have examined the contents of this petition, and do find by a copy of the record attested by the keeper of your Majesty's records within the Tower, that Ralphe de Frescheville was among other barons summoned by writ to the parliament held in the 25th year of the reign of king Edward the First. It also appears unto me, by several pedigrees of credit and antiquity, that the now lord Frescheville is lineally descended, as heir, both general and male, from the said Ralphe de Frescheville; but it doth not appear, by any evidence, that the said Ralphe or any of his descendants (till your Majesty's creation of the now lord Frescheville) were ever summoned or sat in parliament after the said parliament of 25 Edw.I. And, therefore my humble opinion to your Majesty is that you would be graciously pleased to refer the consideration of this petition to the peers now in parliament assembled."—(Signed) Wil. Jones. Dated 14 Feb. 1677.

The lords, on reference of this petition made to them by his Majesty, after hearing counsel for the petitioner, and the attorney-general for the king, resolved (without examining the truth of the pedigree asserted by the lord Frescheville) on the 6th of March, 1677,* *that they did not find sufficient ground to advise his Majesty to allow the claim of the petitioner.*

* Journ. Dom.
Proc. vol. xiii.
p. 154.

It does not clearly appear what were the grounds of this decision. It may be suggested, that, though Ralphe de Frescheville was summoned to parliament 25 Edw. I., it had not been proved that he sat therein. Also, that neither Ralphe being again summoned, nor any of his descendants after him, during so very great a length of time, it might be presumed, that, whether he ever sat in parliament or not, it was not conceived

at that time that a writ of summons and even sitting under it, would have the effect attributed to such writs in later times, as in the instance of Clifton.

Although the parliament rolls, or journals of the house of lords, do not afford proof that every person who had summons as a baron of the realm, did in virtue thereof, actually take his seat in parliament; yet in the default of this positive evidence, the next best *prima facie* proof may be deemed adequate thereto, so far as relates to the most ancient baronies, whether created by writ; or summoned by reason of their tenures.

Magna Charta, which is not a charter of new law, but declaratory of the old laws and customs of the realm, declares, what had been, and then was the rule in amerciaments; and that earls and barons shall not be amerced but by their peers.

* 3 Edw. III.

Thus, in Edw. III.,* Stratford, bishop of Winchester, had an information exhibited against him, in the K. B., for absenting himself from parliament, without the king's licence, and he pleaded to the court,† "that if he had offended the king, by absenting from parliament, and not appearing in obedience to the king's writ, he was to answer the king in parliament, according to the law and custom of parliament,—and not an inferior court."

† 4 Inst. 15.

‡ 5 Ric. II.
cap. 4.

This was before any act of parliament was made for the punishment of disobeying the king's writ, which positively commanded an appearance thereto. In the time of Rich. II.,‡ it was enacted, (as before mentioned), "If any person of the realm have summons to parliament—be he A. B., bishop, abbot, prior, duke, earl, baron, &c., do absent himself, and come not at the said summons, (except he may reasonably and honestly excuse himself to our lord the king,) he shall be amerced, or otherwise punished, according as of old times, hath been used to be done within the said realm, in the said case, &c."

From these last words of the statute, it appears that peers were obliged to give their attendance and obedience to the king's writ, or be amerced, in fines, before that statute was made.

§ Vide Garron
on Parls., pp.
349—56.

From this, it must be inferrable, that where a writ of summons is upon the record, and no amerciamment for non-attendance, the person summoned obeyed the writ, and took his seat in parliament accordingly.§

The writ of summons, of the 35 Edw. I., may be considered an exemplification of this statement, wherein those who attended are distinguished by the word *hic*; and the excuses of those who did not, by the cause of absence being noted.^a

King Cha. the II., after the restoration, sent a message to the house of lords, desiring that the lords created at Oxford may sit in the house; which being acquiesced in, the order for excluding them was vacated the 31st May, 1660.

^a The names of Lords present in Parliament were first entered in the Journals of the House of Lords 6 Feb. 1511. (3 Hen. VIII.)

OF THE WRIT OF SUMMONS, *JURE UXORIS*.

While dignities were annexed to the possession of particular lands, the husband of a woman having such lands was bounden to perform the services for which they were holden, and, among others, to attend the High Court of Parliament, so that he was entitled to the dignity during the joint lives of himself and his wife, as in several instances among the ancient earldoms may be perceived.*

But the first person mentioned by Dugdale, as summoned to parliament *jure uxoris* is Ralph Monthermer, by reason, as that author† relates, that he was seised in right of his wife (for term of her life,) of certain lands composing the earldoms of Gloucester and Hertford; but when she was dead, and her son the earl of Gloucester, came of age, he took his seat in parliament as earl, and Monthermer was thereafter only summoned to parliament as a baron.

* Mandevill, earl of Essex & Albermarle. Plantaganet, earl Warren & Surrey; cum aliis.
† Dug. Lists of Summ. p. 570.

In the reign of Henry VIII. Mr. Wymbush having married a lady entitled to the barony of Taylboys,^a who died before him without having had issue, a question arose, whether he ought to have the name of lord Taylboys in right of his wife, or not. On this occasion, after a solemn deliberation,‡ it was asserted that the husband who never had issue, had no interest in law in his wife's inheritance; and, accordingly, the king (Henry VIII.), who was present on the argument, for resolution, said, "That Mr. Wymbush nor any other, from thenceforth, should use the style of his wife's dignity, but such as by the courtesy of England had right to her possessions for term of life."

‡ Collins's Parl. Prec.

On comparing, however, the reason attributed to Monthermer's summons to parliament with that of Charles Somerset, as lord Herbert, there appears a great difference between the cause and the rule laid down; for Monthermer was earl of Gloucester *ratione possessionis uxoris suæ*. But the lord Herbert could not be a baron *ratione eadem*, because the barony of his wife's father was created by writ of personal summons, and as such could not be cast upon him *in her right*.

Chief-justice Coke asserts, "*That where no possession can be had, no curtesy can prevail*;" ergo, there can be no courtesy of a personal honour, as a barony by writ; for the custom applied solely to the ancient territorial barony.

Mr. Hargrave has observed, that he could not learn that there had been any claims of dignities by courtesy since lord chief-justice Coke's time; and from the want of modern instances of such claims, as well as from late creations, whereby women were made peeresses, in order that the families of their husbands might have titles, and yet the husbands

^a This barony is one of those omitted by Dugdale in his Peerage History. It was created by writ of summons, and sitting under the same anno (21 Hen. VIII.), in the person of Gilbert Taylboys, of Kyme, in com. Linc., to the ancient feudal barony of which name he was the direct heir.

themselves remain commoners; it seemed as if the prevailing notion was against curtesy in titles. However, he had not yet discovered whether this great question had ever formally been settled by any judgment of the house of lords.

Indeed, from after lord Herbert's time to the present, the practice of summoning to parliament, *jure uxoris* has ceased,—as the examples of Audley, Willoughby of Eresby, first in Bertie, (claimed and rejected* in 1580,) and last in Burrell, fully demonstrate. Indeed, it may be instanced in the cases of the late duke of Northumberland and the late Marquis of Townshend, that they respectively succeeded to the baronies of Percy and Ferrers of Chartley, upon the decease of their mothers, and in the life-time of their fathers; which would not have been allowed, if their said fathers had been entitled to an estate by the curtesy in those dignities.

Having thus descanted upon the custom which in former times prevailed, of the husbands sitting in parliament by virtue of their wives' feudal possessions, it may not be irrelevant to notice what information antiquity affords us, with respect to the share which females originally took in the great councils of the nation.

Plutarch says, that women had the prerogative to sit and deliberate in great councils, in cases relating to civil administration, and also in debates about peace and war.

Tacitus,† speaking of the Britons, says, *Sexum in imperiis non discernent*. And Cæsar says,‡ the British women were made use of in court, in council, and in camp.

The ladies of birth and quality sat in council with the Saxon witas; the abbess Hilda, as Bede§ writes, presided in an ecclesiastical synod.

In Wightred's great council at Beconcelld, A.D. 694,|| the abbesses sat and deliberated, and five of them signed the decree of that council along with the king, bishops, and nobles.

In Ethelwolf's parliament at Winchester, A.D. 855, wherein the tenth part of the kingdom was given to the church, the law passed, says Ingulphus,¶ “*Præsentibus et subscribentibus, archiepiscopis, et episcopis, Angliæ universis, nec non Benreddo rege Merciae, et Edmundo East-Anglorum rege, abbatum et abbatissarum, ducum, comitum, procerumque totius terræ, aliorumque fidelium infinita multitudo, qui omnes regium chiragraphum laudaverunt, dignitates vero sua nomina subscripserunt.*”

King Edgar's charter to the abbey of Crowland, A.D. 961, was, with the consent of the nobles and abbesses who subscribed the same.**

In the time of Henry III.†† and of Edward I. four abbesses had summons to parliament; viz. of Shaftsbury, Barking, St. Mary of Winchester, and of Wilton.‡‡

But the most memorable summons is that of 35 Edw. III., whereby divers countesses and baronesses were required to give their attendance, or send their proxies. This writ being so singular, the following copy thereof may not be considered unanalogous to the general subject.

* Collins's
Parl. Prec.

† In vitâ
Agricolæ.
‡ Comm. 117.

§ Bede Lib. 3,
cap. 25, p. 135,
Lib. 4, cap.
23, 4.
|| Chron. Sax.
48.

¶ Savil. Edit.
Ingulph. 862.

** MS. pen.
lord keeper
Williams.

†† Tit. Hon.
p. 729.

‡‡ Pat. 5 Edw.
I. Dors. 11, et
Rot. Scut.
ejusd. an. m. 7.

Claus. 35 Edw. III. In Dors. m. 36.

“Rex dilecto sibi Mariæ comitissæ Norfolkciæ Sal^m. Quia terra nostra Hiberniæ per invalescentes à diu Hibernicorum inimicorum nostrorum, incursus, propter impotentiam fidelium nostrorum habitantium in eâdem; et pro eo quod magnates et alii de regno nostro Angliæ terras in eâ habentes, commodum dictarum terrarum suarum ab eâdem terrâ capiunt et defensionem aliquam non faciunt, jam cautè vastitâtis et destructionis miserie subjicitur; quod, nisi deus advertat et celerius succurrat eidem, ad totalem perditionem in proximo deducetur; per quod pro salvatione ejusdem ordinavimus; quod Leonellus comes Ultoniæ, filius noster charissimus, cum ingenti exercitu, ad terram prædictam, cum omni festinatione transmittetur: et quòd omnes magnates ac alii de dicto regno nostro terras in dictâ terrâ Hiberniæ habentes, quâto potentiùs potuerint, in comitivâ dicti filii nostri, proficiscuntur, vel si debiles in corpore existant, loco suo alios sufficientes ibidem mittant pro repulsione dictorum inimicorum, et salvatione et defensione terrarum suarum, et succursu terræ supradictæ: et pro dicto negotio accelerando volumus eum magnatibus et aliis de eodem regno terras in dictâ terrâ Hiberniæ habentibus *colloquim habere et tractatum*; vobis in fide et ligentiâ, quibus nobis tenemini, firmitèr injungendo mandamus; quòd omnibus aliis prætermisissis, aliquem vel aliquos de quibus confiditis apud Westm^m. mittatis; itâ quòd sint ibidem in tribus septimanis Paschæ proximo futuro, ad loquendum nobiscum et consilio nostro, super dicto negotio, et illud concernentibus; et ad faciendum et consentiendum nomine vestro super hoc quod ibidem contigerit ordinari, et interim homines vestros quanto potentiùs et decentiùs poteritis, ad arma paretis, itâ quòd in vestri defectu progressus dicti filii nostri, et exercitus sui non retardetur; nec dicta terra amissionis periculo subjaceat ex hoc causâ; et hoc, sicut nos et honorem nostrum ac salvationem et defensionem terræ prædictæ diligitis, nullatenus omittatis, nos in cancellariam nostram de nominibus illorum, quos usque Westm’ ex causâ prædictâ duxeritis destinandos reddentes ad diem prædictum distinctè et apertè certiores; et habeatis ibi tunc hoc breve. Teste rege apud Westm’ xv. die Martii.”

Per ipsum regem et consilium.

Consimilia breviter diriguntur subscriptis sub eâdem datâ, de essendo coram rege et consilio suo ad dies subscriptos: viz.

Ad quindenam paschæ:

Mariæ comitessæ Norfolkciæ, Annæ Le Despenser,
Alianoræ comitessæ de Ormond.

Ad tres septimanas paschæ

Phillippæ Comitissæ de la March,	Margeriæ de Roos,
Johannæ Fitz-Wauter,	Matildæ comitissæ Oxon,
Agneti comitessæ Pembrochiæ,	Katarinæ comitissæ Atholl.
Mariæ de S. Paulo, comitis’ Pembr.	

But it is to be noticed that these ladies were dowagers at that time,—and consequently had no husbands to be summoned in their right.

OF THE WRIT INTERMEDIATE OR ANTICIPATORY.

THE practice of summoning to parliament the eldest sons of peers, by the titles of their father's baronies, commenced, as Dugdale states,* the 22 Edw. IV.; but seems to have come into more general use in the latter end of the seventeenth century. In these cases, the parties summoned have been allowed to take their seats in parliament according to the precedence of the baronies, by the names of which they had summons.^a

But, with regard to the nature and operation of this intermediate or anticipatory writ, it has been questioned, whether the summons, by which the eldest son of a peer is called to the upper house by the title of his father's barony, turns that honour into a barony in fee?

This question, again, has created another, as to the operation of a writ of summons to the eldest son of a peer by the name of a barony vested in his father, and that of a similar writ by the name of a barony not vested in his father.

†Lords' Journ.
Vol. xxv. p. 11.
‡ Ibid, p. 112.

In the cases of the baronies of Stranget and Clifford claimed by the duke of Athol, and by the earl of Burlington; the former in 1736, and the latter in 1737,‡ the claimants stated, that the baronies, by the names of which they were summoned, were *not then* vested in their fathers. But there can be no doubt that, in these instances, the crown issued its summons upon the idea, that the baronies, by the names of which the persons were summoned, were then vested in their fathers; which proving an erroneous notion, the lords were, in a certain degree, obliged to admit, that the writs issued under the mistake, operated as new creations.

Now, with respect to the first question, it has been decided, by the doctrine laid down and adopted by the house of lords, in the following modern cases; viz.

King James I., by his letters patent, dated 13th May, 1603, created Sir Robert Sydney, knight, lord Sydney of Penshurst, to hold to him and the heirs male of his body, and afterwards advanced him to the dignities of viscount Lisle and earl of Leicester. These titles descended to his grandson Philip; whose eldest son, Robert, by courtesy styled viscount Lisle, was, in the 1st of Will. and Mary, summoned to parliament by writ, and sate and voted by the title of lord Sydney of Penshurst, in the lifetime of his

^a By the Statute of Precedency, the 31 Hen. III., it is settled, that the eldest sons of dukes, marquisses, or earls, have precedence before all barons in every public procession and solemnity; as such, it appears a mere moderating measure, to give them by summons a voice in parliament, with the privileges thereunto belonging, as, excepting those points of distinction, they were previously entitled to all others appertaining to their nobility of birth.

father. These titles descended to John Sydney, the son of the said Robert, which John died without issue, leaving his nieces, the daughters of his next brother, Thomas Sydney; viz. Mary and Elizabeth Sydney, his *heirs general*, and Joceline, his youngest brother, his *heir male*, who became earl of Leicester, and died, as it is said, without issue;^a whereby the titles created by the letters patent of James I. became extinct.

Upon the death of Mary Sydney, without issue, Elizabeth Sydney, her sister (who had married Mr. Perry,) claimed the barony of Penshurst, as sole heir of Robert Sydney, who was summoned to parliament by writ, as before mentioned, the 1st of Will. & Mary.

Mr. Wallace, the Attorney-general, in his report, stated that the petitioner claimed the barony of Sydney of Penshurst, as being the sole heir general of the body of Robert Sydney, who was called to parliament by writ, in *vitâ patris*, upon a supposition that the effect and operation of the writ of summons to parliament without letters patent, and having taken his seat in parliament, pursuant thereto, vested a title in him to the barony, descendable to his lineal heirs.

That a writ of summons to parliament, and a sitting in pursuance thereof, did certainly, in general cases, ennoble the person and his descendants; but he conceived that the effect of a writ of summons to the eldest son of an earl or viscount, by the title of his father's barony, or to *the elder son of a baron*, who had two or more baronies, to one of his father's baronies, was to accelerate the succession of the son to the barony, which on his father's death, would descend to him; and the extent of the inheritance depended upon the nature of his father's title to the barony, whether in fee, or in tail male.

That the usual manner of calling up the son of a peer in *vitâ patris*, was by writ of summons to the barony of the father; and the persons thus called had been constantly placed in the house of lords, according to the antiquity of their father's barony; although since the statute 31 Hen. VIII. (c. 10.) for placing the lords, whereby the precedence of peers was fixed and established, the right to such precedence had at different times come under the consideration of the house;* and, although it did not appear that the house had determined the point, yet it was highly probable that the lords had satisfied themselves, that the eldest sons of peers called up by writ into their father's baronies, were entitled to the same precedence and rights, which they would have been entitled to, if they had succeeded to the same by descent; and that the calling them up by writ in their father's lifetime, only accelerated the possession.

*Lords' Journ.
Vol. iv. p. 35.
Vol. xv. p. 523.

That he was of opinion, that the effect of the writ of summons to Robert Sydney (commonly called viscount Lisle) to his father's barony, gave to him the like inheritance

^a He had a son John, whose legitimacy, with an analogical reference to the case of the Banbury claim some time since before the Lords' Committee of Privileges, affords matter of important consideration.—*Vide* the printed account of the trial at bar, in the court of C. B. 11th February, 1782: John Sydney, earl of Leicester, &c. demandant; and Elizabeth Perry, widow, tenant.

his father had in the barony, which was restrained to heirs male; and that the petitioner was not, as heir general, entitled to the barony. But as the case appeared anomalous, and never to have been precisely determined, he thought it advisable to refer it to the house of peers.

The case was referred accordingly, and after having been fully heard, the house of lords resolved, *That the claimant had no right, in consequence of her grandfather's summons and sitting.*

After this solemn determination by the High Court of Parliament, the proper tribunal for hearing and adjudicating such questions, it certainly is the duty of every one to bow to so great an authority; but, nevertheless, there are some points which seem to occur in opposition to the doctrine embraced by the decision of the house, which now can only be introduced (with the utmost deference) for the sake of argument.

The question has been, whether a barony in fee tail male was, by the writ, turned into a barony in fee tail general? To this it is answered, that the writ is nothing more than simply anticipating the death of the father as to his barony only.

But by what power can the writ divest the father of his barony in favour of his son, though even the eldest, for the maxim of the law is, *Nemo est hæres viventis*?

Does the father surrender his barony into the hands of the king? If so, and he has a new grant in favour of his son, the summons becomes, as it would purport, a writ of creation to a new dignity. But, if the law admits of a surrender or conveyance of the barony from the father, the same principle might carry the surrender for the benefit of a second, third, or any other son, and thereby give the father (with the favour of the crown) an opportunity of introducing into the house of peers as many lords as he had baronies vested in him. With regard, however, to the power of surrendering an honour so as to extinguish it, or alter the course of descent, the decision made* in the lord Purbeck's case expressly declared, that *no fine or recovery or surrender could be made of an honour*. But this resolution may probably not be considered to go the length of declaring, that the father may not surrender his barony to his son and heir.

*Lords' Journ.
anno 1678.

Yet to come a little nearer to the question, the following extreme case may be suggested.

George Finch is by letters patent created baron of Putney, with limitation to him and the issue male of his body. He has issue a son William, which William succeeds his father, and is advanced to the earldom of Wandsworth, with the like limitation to his issue male. He has issue two sons, Frederick and Thomas; of these, the eldest son, Frederick, styled by curtesy lord Putney, is, in his father's lifetime, called up by writ to the house of peers by the name of that barony. After this, his father the earl of Wandsworth, is attainted for high treason, and his honours forfeited by reason of his having been tried, found guilty, and executed.

Upon the decease of the earl, it is certain that his son, the lord Putney, would not succeed to the earldom, but what would become of the barony of Putney? The son it is true would be undoubtedly in the possession thereof: but that possession would be by virtue of his anticipatory writ of summons, and not by reason of his being heir to his father, for the father's blood would, by the attainder, be corrupted, and his issue incapable of inheriting any thing from him.

It being then admitted, that the son could not take the honour *by descent* from his father, it follows, that he can only hold the barony in possession, *per formam doni*, which being then derived *à summonitione sed non patenti*, the operation of the writ must be the creation of a new barony, and that barony descendable to heirs general, contrary to the course of limitation of the previous barony.

Now supposing the old barony to have been kept alive in consequence of the implied surrender of the father, previous to his attainder; the question then arises, whether the said barony would, upon the death of the lord Putney without issue male, descend upon Thomas, his surviving brother and heir male?

In the case of the lord Clifford of Lanesborough, eldest son of the earl of Burlington, who was called by writ of summons into that his father's barony, but died in the lifetime of the said earl his father, leaving Charles his son and heir, a question arose, whether if a lord called by writ into his father's barony shall happen to die in the lifetime of his father, the son of that father so called be a peer, and hath right to demand his writ of summons? The lord president reported from the Lords' Committee of Privileges, to whom it was referred to consider, "That their lordship's find no precedent in this case." A debate arising, upon the question, the house at length resolved,* "That the said Charles lord Clifford hath right to a writ of summons to parliament, as lord Clifford of Lanesborough:" and he took his seat accordingly.

* Lords' Journ. vol. xxv. p. 11. 39.

The same point was determined in the case of lord Hervey†.

† Ibid.

This determination, however, which declares their lordships' opinion, that the son of the party so summoned *vitâ patris*, and dying in the lifetime of his father, would be entitled to succeed his departed father; yet does not go the length of deciding that the brother of the party summoned, in case he had died without issue, would have been similarly entitled to his writ of summons. Ergò, to return to the Putney case, it seems that if that baron died S.P.M., his brother would have no right to succeed him in the barony: and he could not make himself heir to his father, inasmuch as the corruption of blood by his father's attainder would be an impediment.

Thus then, the effect of the writ of summons, in the instance cited, must appear to have two contrary operations: the one that it preserved, notwithstanding the attainder, the descent of the barony in the male line of the person summoned;—the other, that though the barony with its ancient precedency was preserved, yet it was not rendered

descendable to the collateral heir male, who might eventually become the lineal heir male of the person first ennobled.

All these remarks, after a solemn determination of the house upon a question so particularly embracing the law of descent of their honours, certainly cannot be made, but with all due submission, and, as such, are here merely protruded, as matter of consideration, upon an extreme case, which has never yet been brought before their lordships for discussion, and which perhaps may never occur.

It has been but seldom that the eldest son of a baron has been summoned *vitâ patris* into the second barony of his father, the father being by inheritance possessed of two honours: the first instance was by Charles II., who, in the thirty-second year of his reign, by writ dated the 1st of November, 1680,* called the son of the lord Darcy to parliament, by the title of lord Conyers; shortly after which, he advanced the lord Darcy (the father) to the dignity of earl of Holderness.

* Journ.
Dom. Proc.

OF DIGNITIES BY LETTERS PATENT.

THE usual manner of creating barons other than those who were so by their feudal grants, after the 49 Hen. III., was, as before shown, by writ of summons; but in the 11 Rich. II. John Beauchamp de Holt, (a time-serving man and steward of the king's household,) was created baron of Kidderminster, by letters patent;† before whom, as lord chief-justice Coke says,‡ there never was any baron created by that form; and, therefore, whenever a barony appears to have existed before that period, it must be taken to be a barony by tenure, or writ.

† Rot. Pat. 11
Ric. II. p. 1,
m. 12.
‡ 1 Inst. 16. b.

§ Vol.ii.p.195.

Dugdale observes,§ that the solemn investiture of barons created by patent, was performed by the king himself, by putting on a robe of scarlet, &c.; which form continued till the 13 Jac. I., when the lawyers declared, that the delivery of the letters patent was sufficient without ceremony.

But though baronies were not created by letters patent before the reign of Richard II., divers earldoms had been so created, of which however, there are but few on record antecedent to the 11 Edw. III., and those are chiefly, if not all, of earldoms with the third penny of the pleas of the county annexed.

One of the most ancient of these patents, or charters, is that of the empress Maud to Geoffrey de Mandeville, of the earldom of Essex, in these words; viz. "*Ego Matildis, &c.; do et concedo Gaufrido de Magnavillâ, &c. ut sit comes de Essexia, et habeat tertium denarium vicecomitatus de placitis, sicut comes habere debet in comitatu suo:*" which show, that the sovereign did not anciently grant *nomen, stylum, et titulum comitis*; but *ipsum comitatum*, by which the *tertius denarius comitatus, unde comites erant*, passed, and the

parties were thereby earls, without any express words for the grant of the dignity,—as the case of Courtney, earl of Devon, more fully shows, viz. in the 8 Edw. III. Hugh de Courtney, heir general to Baldwin de Redvers, earl of Devon, represented to the king that he was seised of the *tertium denarium* of the county of Devon with divers lands, by inheritance, but that the same was refused to be paid to him, by reason he was *no earl*: whereupon the king, having upon investigation found the said representation to be true, by his letters patent, dated the 22nd Feb. 9 Edw. III., declared, that he thenceforth should assume the title of earl, and style himself earl of Devon, as his ancestors had done; and he afterwards sate in parliament by that title accordingly.

King John was the first who introduced the practice of granting them only a certain sum, viz. ten or twenty pounds, out of the third penny of the pleas of the county, and thereby reserving to himself the other profits.

With regard to John de Beauchamp of Holt, the person before named as the first who was created a baron by patent, it is rather singular that he was attainted the very same year, and though his name appears in the lists of summons to parliament of that year, he never sate. He was one of the accomplices of Michael de la Pole, the unpopular duke of Ireland, who, when the patent passed, had the keeping of the great seal, from which in the preceding parliament he had been removed, and declared incapable of having it again: the patent, therefore, was nothing more than a vain attempt at a creation, which never was perfected.

The author of the “Enquiry into the Manner of creating Peers” has observed * * p. 70. “That all the patents for baronies before 1 Hen. VII. are *per breve de privato sigillo et de auctoritate parliamenti*, and, consequently, had all of them the force of acts of parliament.”

But this doctrine seems erroneous, inasmuch as Selden† (mentioning the viscount Beaumont’s case) writes thus: viz. “The date is at Westm^r. 12 Martii, in the 23rd of the king; and the warrant is expressed by, *per breve de privato sigillo, et de datâ predictâ auctoritate parliamenti*; which last words, divers patents (of that age, and some that follow) have in the expressions of their warrants, by reason of the statute of 18 Hen. VI., cap. 1, by which it was enacted, that letters patent should be dated the same day wherein the warrant for them is received: as to this day, from that time and act, the law hath continued.

Again, the prince’s case‡ confirms this statement; viz. “Et quando exituræ sunt sub billa signata, et sub sigillo etiam privato, tunc privatum sigillum manet domino cancellario, et billa signata manet clericis signaturæ, et hac allatum est domino privati sigilli extractum ad faciendum breve de privato sigillo; et tunc literæ patentes subscribuntur, per breve de privato sigillo; et si hac verba (scilicet auctoritate parliamenti) apponantur tunc exeunt secundum statutum de anno 27 Hen VIII. cap 11.”

† Tit. Hon. p. 764.

‡ 8 Coke.

* 1 Inst. 16. b.

Lord chief-justice Coke says,* that where a person is created a peer by letters patent, the state of the inheritance must be limited by apt words, or else the grant is void. The usual words are, to hold to the grantee, and the heirs male of his body: though sometimes it is for the life only of the grantee;† and sometimes, with remainder over in default of issue, to a collateral male relative:‡ though sometimes also, a remainder, by special favour, has been granted to the issue male of a daughter, where the party has only had female issue for his heirs,—as in the cases of the earls Howe and Wilton.

† Cornwayle
baron of Mil-
broke, Rot.
Parl. 20 Hen.
VI.

‡ Lowther
viscount Lons-
dale, Geo. III.

§ Ibid 12 Rep.
71.

In the cases of letters patent, the creation is perfect and complete, although the grantee should die before he has taken his seat in parliament.§ Thus Henry Waldegrave being, by letters patent, dated 1 Jac. II., created baron Waldegrave of Cheriton, to him and his issue male, died before he took his seat in parliament: but his son and heir, James, was afterwards introduced in his robes, and took his seat accordingly.||

|| Lords' Journ.
vol. xxi. p. 682.

Mr. Selden asserts, there was no instance of the grant of a *dignity* by letters patent to a person, and *his heirs generally*. But it nevertheless appears, upon reference to the Lisle case (already herein before noticed,) that the said barony was granted to John Talbot, *his heirs and assigns, lords of the manor of Kingston-Lisle*. It probably may be questioned how far this grant was a *creation*, or a *confirmation*, of a precedent right, as the ancestors of the said John Talbot had, as asserted in the patent to him, (though certainly untruly,) by long inheritance, been barons Lisle, by tenure and writ of summons. But, as *that actual barony*,—that is, *the feudal manor of Kingston-Lisle*, was in reality vested in his mother, he had no further interest in the honour than with her consent; and, by the declaration of the king, became conceded to him. The words of the patent for this purpose were “*Ad removendum omnem dubitationis scrupulum ipsum, &c.; creavimus, &c.*”

The most singular limitation of a dignity created by patent, next to that of Lisle, is that of the barony of Lucas of Crudwell. It was granted the 15 Cha. II. to Mary, countess of Kent, to hold to her and the heirs male of her body begotten by the earl of Kent: and for want of such issue, to the heirs of her body by the said earl; with a declaration, “That if, at any time or times after the death of the said Mary countess of Kent, and default of issue male of her body by the said earl begotten, there shall be more persons than one, who shall be co-heirs of her body by the said earl, the said honour, title, and dignity shall go, and be held and enjoyed, from time to time, by such of the said co-heirs, as by course of descent at the common law should be inheritable to other entire and indivisible inheritances, as, namely, an office of honour, and public trust, or a castle for the necessary defence of the realm, or the like; in case any such inheritance was given, or limited to the said Mary, and the heirs of her body by the said earl begotten.”—And by a private act of parliament, 15 Cha. II., this declarative clause is ratified and confirmed.

This is the only precedent among the grants of English peerages, where the title has been expressly defined to descend to heirs general, so as not to fall into abeyance, in case of there being more than one female co-heir. Among the Scotch honours, there is an instance of similar restriction, with regard to the earldom of Dysart, conferred by Charles II. on William Murray, and by one of his co-heiresses brought into the family of Tollemache.

It may not be irrelevant to remark, that the greater part of the Scotch peerages, the earldoms especially, are descendable as well to the female, as to the male line. In the cases before the lords' committee of privileges, upon a claim to the Roxburgh titles, there were exhibited extraordinary powers granted by the crown to an individual, with regard to nominating his successors to his honours. This kind of favour, sometimes conceded by the kings of Scotland, while that crown was a distinct kingdom, proceeded upon the feudal principle, that certain lands having been erected into an honour, either barony or earldom, which lands, according to common law, would have been descendible to heirs general, the same were, therefore, conferred upon a particular person, with the like power of ordering the course of succession, as he would have had, provided the lands had been a private estate of inheritance.

Previous to the Scotch union, the surrenders of charters of peerage grants, with re-grants, or charters of *novo-damus*, were very frequently made and obtained: but since the union, the course of succession to Scotch honours remains upon the letter of the charter under which they were inheritable at the time of the union. It is particularly noticeable of many Scotch titles, that they have been granted to heirs male whatsoever, and not like English honours, restricted to the issue male of the body of the patentee. Thus the baronies of Aston, and Kircudbright, were enjoyed by persons not descended from the body of the party first ennobled.

There is a very peculiar feature of the latitude granted by the Scotch sovereigns to those whom they have thought fit to dignify with peerages, running through the title of Oxfoord. By letters patent, dated in 1651, but which did not pass the great seal till 1660, Charles II. created Sir James Makgill, and *his heirs male of Tailzie, and provision whatsoever*,* viscounts of Oxfoord, and lords Makgill of Cousland. In 1662 this nobleman made a surrender of his estate to the crown, and obtained a new charter with a clause *de novo damus*, to himself, *for life*, remainder to Robert, his eldest son, by — Livingston his wife, and the heirs male of his body by her, remainder to the heirs male of his body by any other wife, remainder to such person or persons as *he had named and appointed, or should name and appoint by any writing under his hand*, default of which, *to his heirs male whatever*; which all failing, *to his heirs and assigns whatsoever*.”

* Journ. Dom.
Proc. vol. xxix.
p. 379.

In 1733 James Makgill, heir male of the patentee, claimed the peerage, and, on the 25th April, 1735, the claim was heard.† He was found to have half the character, but

† Ib. p. 532.

to want the other half. He *was heir male*; but he was *not heir of Tailzie and provision*: the claim was not allowed.

Somewhat similar to the preceding, was the grant made by king James I. under the great seal of Scotland, dated 20th Dec. 1607, of the title of lord Halyrudhous to Mr. John Boithwell (one of the senators of the college of Justice) and the heirs male of his body; which failing, to the heirs male of Adam Bishop of Orkney, his father; which failing to the *lawful and nearest heirs and assigns of the said Mr. John Boithwell*.*

* Journ. Dom.
Proc. vol. xxix.
p. 385.

The patent and charters granted in the instance of the English barony of Lisle, by Henry VI. and Edw. IV., which have been before cited, have nothing so extraordinary in them as is contained in these two creations of Oxfoord and Halyrudhous.

ON THE SURRENDER OF TITLES.

It has already been observed, that a resolution of the house of lords has declared that no title can be surrendered to the crown, so as to bar the right of any one entitled in the course of legal descent to the inheritance thereof: but neither the particular case or the principle of the decision having been fully stated, it may not be irrelevant to notice this interesting subject in a more detailed manner.

In 1619, the 17 James I., Sir John Villiers, knight, (one of the brothers to the great favourite George Villiers, duke of Buckingham,) was created baron Villiers of Stoke, and viscount Purbeck, by letters patent, with limitation of those honours to the heirs male of his body. Robert, his son and successor, in 1660 levied a fine of his honours, and died in France 1675; whereupon Robert, his son, assumed the title of viscount Purbeck, and claimed his seat as such in the lords' house of parliament; on which occasion,† it was solemnly determined, on the 18th of June, 1678, "*That no fine now levied, or at any time hereafter to be levied to the king, can bar such title of honour, or the right of any person claiming such title under him that levied, or shall levy such fine.*"

† Ib. vol. xiii.
p. 253.

But this determination was not made without great opposition on the part of Sir William Jones, the king's attorney-general, who besides citing numerous precedents, remarked,‡ that, by the statute of 26 Hen. VIII. cap. 17, *a man attainted of treason shall forfeit his lands, tenements and hereditaments*." Now, the word which here comprehends honours, must be *hereditaments*; ergò, if these words comprehend honours, the rule at common law, with regard to other estates, seems to apply to honours; for provided they are, although an estate tail, subject to be extinguished for an act unlawful, viz. treason, they are equally liable to be surrendered by act lawful, namely, fine or recovery. It appears a singular doctrine, that, like an hereditament, they should be forfeitable, and yet, like an hereditament, they should not be alienable.

‡ Collins's
Parl. Prece. p.
305, 6.

The ingenious arguments of Mr. Attorney were, however, ably rebutted by the earl of Shaftsbury, and probably overruled by the sentiments of the lords, by reason that the honour and dignity of the peerage would have been reduced to the practice of the courts at Westminster-hall; a point which, in the Banbury case some years afterwards, occasioned a long controversy between the judges and the lords.

During this discussion, the speech of the earl of Shaftsbury had the following noticeable passages, viz:—

“Your lordships did never suffer your honours to be tryed by the courts below, or anywhere but before yourselves; although your other inheritances are tryed there, as well as other men’s; for titles of honour are not dispensable as other inheritances; neither will their descent be guided by the strict rules of the common law.

“Your lordships are the next thing to the crown—though that be far above us; but those who reach at that, must take you in their way. Your lordships were voted useless and dangerous before the crown was laid aside; and as, in the descent of the crown, the whole kingdom have such an interest as the king cannot alien, or surrender it, so in a proportionable degree, though far less, the king and kingdom have an interest in your lordships’ titles and dignities.

“It is granted, that honours may be forfeited, but it doth not therefore follow, that they may be extinguished,—there being two reasons for the forfeiture, which are peculiar to honours, viz:—

“First—Because there is a condition in law, that they shall be true and loyal to the crown and government.

“Second—Honours are inherent in blood, and when that is corrupted and stained, that which was inherent is likewise taken away; but in the case of surrender, those reasons do not hold: here is no breach of any condition in law,—here is no corruption of blood. For these two reasons, felony without clergy forfeits honours; whereas other inheritances, though fee-simple, are only lost for a year and a day; so also are freeholds for lives; which is another clear instance, that honours are not governed by the rules of the common law, as in other inheritances.”

With respect to the precedents quoted by the attorney-general, they either related to feudal honours, which while the peerage dignity was attached to the tenure of certain lands, passed according to the principles of common-law inheritances; saving that, being tenures in capite, they required the king’s licence for the surrender or alienation; or they referred to the surrender of earldoms,* and other honours, descendable in the blood, which were all *bare surrenders without fines*; or were made by persons who had advantage by them, in having greater honours granted to them.^a The case of Roger

* Norfolk et Heref., temp. Edw. I.

^a William Paulet, earl of Wiltshire, on being advanced to the dignity of Marquess of Winchester.

Stafford, designated by my lord Shaftsbury "*Mr. Attorney's sole, single, and melancholy precedent*," made in 1638, and condemned in parliament in 1640, forms a solitary subject for consideration; and the more so, because it is a case which neither historians, lawyers, or heraldic authors, have ever fairly set forth. It was this:—

Edward Stafford, duke of Buckingham, earl and baron Stafford, was indicted and arraigned for treason, and beheaded the 17th of May, 1521, (13 Hen. VIII.), after which he was attainted, whereby all his honours, &c., were forfeited. But Henry Stafford, his only son, was, immediately after his father's execution, restored in blood, though not to his honours or lands. The 20th of September, however, a small provision was made for him out of those immense estates which had been seized by the crown; and on the 5th of July, the 23 Hen. VIII., a further grant of the castle of Stafford, &c. was made to him; the yearly rent of all which together only amounted to 317*l.* 13*s.* 1½*d.*

The 1 Edw. VI. he was again restored in blood, says Dugdale, who cites the journals of that year; but in the Statute-book, no copy or title of such an act appears. From this act it is shown, that he had restitution of the barony of Stafford; yet, with a limitation of descent different to that of the ancient barony, which, originating by writ of summons, was descendable to *heirs-general*; whereas the title now conferred was to go only to *heirs-male*. The words of the act were, "That the said Henry lord Stafford, and the *heyres-male of his body*, may and shall be accepted, taken, known, reputed, called, and written, henceforth by the name of lord Stafford; and that the said Henry, and the *heyres male of his body* coming, shall have and enjoy, in and at all parliaments, and other places, *the name, roome, place*, and voice of a baron, &c."

This Henry thus restored baron Stafford to him and his heirs male, had issue four sons; viz. Henry, Edward, Walter, and Richard: of these, Henry and Edward were successively barons Stafford; the latter was father of another Edward, whose son, a third Edward, died before his father, having had issue a daughter Mary, and a son Henry, which Henry died unmarried; by which event Mary, his sister, who married Sir William Howard, a younger son, to Thomas earl of Arundel, became his heir general: but by reason that the inheritance of the barony was by the act of Edward VI. restricted to *heirs male*, she was incapable of succeeding to the said honour, as she would have been entitled to have done to the original barony, provided it had never been forfeited.

Thus the male line of Henry and Edward, the two eldest sons of Henry, the restored baron Stafford, having failed, the course of succession devolved upon Roger, the son of Richard Stafford the youngest brother to the aforesaid Edward, (the other brother Walter being dead, without issue,) which Roger immediately presented a petition for the barony; but, being of himself merely of slender fortune, (probably none at all) he was borne down by the weighty power of the Howards, who solicited the barony for the sister of the last lord Henry, and her husband, the before-named Sir William Howard.

Richard Stafford (before mentioned) died very poor: his son, the said Roger Stafford, was born at Malpas, in Cheshire; in his youth he went by the name of Fludd, or Floyde—for what reason has not yet been explained; perhaps, with the indignant pride, that the very name of Stafford should not be associated with the obscurity of such a lot! However, one Fludd or Floyde, a servant of Mr. George Corbett of Cowlesmore, near Lee, in Shropshire, (his mother's brother) is mentioned in a MS. which undoubtedly was once part of the Stafford collections; and it is not improbable, that this person was some faithful servant, under whose roof he might have been reared, or found a shelter from misfortunes, when all his great alliances, with an odious and detestable selfishness, might have forsaken him; and that he might have preferred the generous, though humble, name of Floyde, to one which had brought to him nothing but a keener memorial of his misfortunes.

At the age of sixty-five he became, by the early death of Henry, lord Stafford, (the great-grandson of his father's elder brother,) in 1637, heir male of the family; a circumstance which was to subject him to new mortifications.

The act of 1 Edw. VI. restored his grandfather in blood; gave to him and the heirs male of his body the rank of a baron, and enabled him and his successors to make jointures or grant a life estate to younger children; or dispose by will for advancing children, or paying of debts, to the amount of two-thirds of the parcels of the small lands restored by Hen. VIII. Yet Dugdale does not specify whether the entail was on the heir male, or heir general, except of a small part: but the entail of the peerage depended upon the act of Edw. VI., which decisively expressed it upon the heir male. Roger Stafford therefore, in 1637, became, beyond all doubt, entitled to be lord Stafford, and accordingly presented a petition of claim, and submitted his right to the king's judgment. Upon which submission his majesty declared his *royal pleasure*, that the said Roger Stafford, *having no parte of the inheritance of the said lord Stafford, nor any other landes or meanes whatsoever*—(a most honest and just reason certainly)—should make a resignation of all claims and titles to the said barony of Stafford, for his majesty to dispose of as he should see fit. In obedience and performance of which order, the said Roger Stafford did, by his deed enrolled, dated 7th Dec. 1639, grant and surrender unto his majesty, the aforesaid barony of Stafford, and the honour, name and dignity of lord Stafford in and by the act of Edw. VI. granted; together with all his right, &c. &c.: and covenanted before the end of Hilary term next, to levy a fine of the barony; which fine was accordingly levied. After which surrender made, and fine levied, the king, by patent, 12th Sept., 16 Car. I., created Sir William Howard, and Mary his wife, baron and baroness Stafford, with remainder to the heirs male of their bodies; remainder to the heirs of their bodies, with *such place and precedence as Henry, Lord Stafford, brother of the said Mary, had or ought to have as baron Stafford*: which latter clause

seems illegal: inasmuch as it would be a new creation, the limitations being different from those of the old honour: and no new creation can, without an act of parliament, *take precedence* of any older creation of the same degree.

Thus was this poor old man overpowered for ever, and the cruel and unjust result, aggravated if possible, by the illiberality of the manner, in words as base, as the decree was arbitrary and unprincipled! viz. "Roger Stafford, in his youth called Fludd, pretending himself to be descended from a younger son of the said Henry first lord Stafford, did claim the barony of Stafford, which title and dignity the said Sir William Howard, in right of his said lady did also claim ——." By what intimidation this unhappy nobleman was influenced to surrender his rights, cannot now be known; but the validity of a fine has since been questioned, and entirely annulled, as before observed, in the Purbeck case.

In the 4 Edw. IV. John Nevill, lord Montague, was created earl of Northumberland, *per ipsum regem ore tenus*, which memorandum was probably added at the foot of the record in consequence of the patent having passed without a writ of privy seal, by the personal order of the king. In the 8th of the same king this writ was brought into chancery to be cancelled: and Nevill was created marquess of Montague.

In the 11 Edw. IV. Lodowic de Bruges was created earl of Winchester, to hold to him, and the heirs male of his body. In the 15 Hen. VII. the letters patent appear to have been restored to the king, to the intent that they might be cancelled; and, by a memorandum at the foot of the record, it seems, the inrolment was thereupon vacated. But these precedents were previous to the Stafford and Purbeck cases, and were not accompanied by any fine.

The resolution in the Purbeck title does not appear to have been meant to apply retrospectively.

FORFEITURE.

A DIGNITY or Title of Honor, whether holden in fee, in tail, or for life, is forfeited for ever, and lost by the attainder for treason or felony of the person possessed of it, and can only be again revived by a reversal of the attainder.*

* Cruise on Dignities.

Ralph, Lord Nevill of Raby, was created Earl of Westmoreland, to hold to him, and the heirs male of his body. From him descended Charles the sixth earl, who, in the 13th of Queen Elizabeth, was attainted of high treason, by outlawry and by act of parliament. He died s. p. m., upon which Edward Nevill, Lord Abergavenny, descended from a younger son of Ralph the first earl, claimed the title as heir male of the body of the first grantee of the earldom.

On hearing of his petition, it was resolved by all the Judges, that although the dignity was within the statute, *de donis conditionalibus*, yet it was forfeited by a condition in law, *tacite*, annexed to the estate of the dignity; for an earl has an office of trust and of confidence;^a and when such a person, against the duty and end of his dignity, takes not only council, but also arms against the king to destroy him, and thereof is attainted by due course of law; by that he hath forfeited his dignity in the same manner, as if tenant in tail of an office of trust misuse it, or use it not.^b These are forfeitures of such offices for ever, by force of a condition in law, *tacite*, annexed to their estates. It was also resolved, that if it had not been forfeited by the common law, it would have been forfeited by the 26th Henry VIII.^c

In the case of entailed titles, no corruption of blood takes place; and therefore a dignity in tail may be claimed by a son surviving an attainted father,* who never was in possession of such dignity; for the son may claim from the first purchaser of the dignity, *per formam doni*, as heir male of his body, within the description of the grant.

In the instance of a dignity descendable to heirs general, the attainder of any ancestor of a person claiming such dignity, through whom the claimant must derive his title (though the person attainted was never possessed of the dignity) will bar such claim—for the blood of the person attainted being corrupted, no title can come through him.†

Where a person is tenant in tail male of a dignity, with a remainder over in tail male to another, and such person is attainted of high treason, the dignity is forfeited as to him and his issue male; but upon the failure thereof, it becomes vested in the remainder man, or his male descendants.‡

There is a difference, however, between an attainder for high treason, and an attainder for felony. Dignities, whether created by writ, or by patent, become forfeited by attainder, for high treason: but, by an attainder for felony, an entailed dignity is not forfeited, though one created by writ and descendable to heirs general is. Thus Mervin Touchet was baron Audley by writ, in England, and earl of Castlehaven in Ireland, by patent, with limitation to his issue male. In 1631 he was attainted of Felony, and was executed on charges found against him of an infamous nature. His barony of Audley was forfeited; but, according to modern principles his earldom was not affected.

^a Quæ. how far this would apply to the dignity of a baronet similarly entailed, who not being (like a peer) of the king's council, holds neither an office of trust nor confidence?

^b If a peerage be an office of trust, and forfeitable in the same manner as tenant in tail of an office of trust who misuses it, or uses it not, it seems to purport that the non-claim of a dignity, to which any one is heir for two or three hundred years, is a misuse, or non-use of the dignity descended to him; and is an abandonment of right, and, as such, within the Statute of Limitation.

^c A copy of Nevill's claim is in the Lansdown MSS., 254, p. 376. It is a very curious and interesting document.

^d Vide the interesting case of the Dukedom of Somerset, in the Third Peerage Report, p. 49.

* Lords' Jour. Athol case.

† Lumley case.

‡ Northumb. Earldom.

In the case of Charles lord Stourton, who inherited that title under letters patent, the 26 Hen. VI., whereby his ancestor, Sir John Stourton was created a baron, with limitation to the heirs male of his body, it appears that, although the said Charles, Lord Stourton, was convicted and hung for one of the most foul, heinous, and premeditated murders ever perpetrated, his son was summoned to parliament without any act of restoration, either in blood, or honours having ever been passed. The same principle was also confirmed in the case of the Earl Ferrars, who was likewise hung (at Tyburn) in 1711, for shooting his steward.

In every attainder whereby a dignity has been forfeited, it is holden that the crown by virtue of its own prerogative, has not any power to restore the dignity, which can only be done by act of parliament, annulling and reversing the attainder. The king may grant a dignity of the same degree, and by the same name, without the reversal of the attainder, but the dignity so granted, will be a new one, and not the same which existed before the attainder.*

* Lords' Jour.
Lumley case.

In the Beaumont peerage claim by Mr. Stapleton, it was adjudged, that the attainder of one co-heir did not render the other a sole heir, it was only an impediment to the claim of the attainted party.†

† Lords' Jour.

In the claims to the Camois' and Bray peerages, (1839,) a question was raised, whether the attainder of one co-heir for high treason could affect the joint co-heirs, and occasion a forfeiture of the dignity? It was resolved by the judges that the attainder of one co-heir did not affect the rights of the rest.‡

‡ Ibid.

§ Chapt. i.

The 11 of Hen. the VII., enacts§ "that from thenceforth no person who attends upon the king, *for the time being*, and does him true and faithful allegiance, shall be convicted or attainted of high treason."^a This distinction between a king *de jure*, and a king *de facto*, might apply to those unfortunate persons who followed the fortune of their lawful sovereign, king James the II., when he left one part of his kingdom to set up his standard in another, (as he did in Ireland): but which retirement for his personal safety, was afterwards called an abdication. There was not then any king, *de jure*, who could complain that king James was an usurper, as in the contest between Hen. VI. and Edw. IV., who were alternately declared by parliament *rightful kings*, and usurpers.

^a Vide Sir William Blackstone's interpretation of this Statute,—4 Comm. 77, 78.—

Quæ. the Validity of the Peerages conferred by king James upon several persons, while king *de facto et de jure*, and resident in a part of his kingdom, which had not acknowledged the introvention of the Prince of Orange, and remained faithful to its sovereign.

LENGTH OF TIME.

PEERAGE dignities are not within the statute of limitations, and may be claimed at any time, however great the distance; for as a dignity cannot be aliened, surrendered, or extinguished, so neither can it be lost by the negligence of any person intitled to it.*

* Cruise on
Dign.

This has been exemplified in very many decisions by the Lords' Committees for Privileges, as testified† in the cases of Botetourt, Berners, Le Despenser, Camois, Bray. †Lords' Journ
Vaux of Harrowden, Beaumont, &c.

But these claims were founded upon personal creations by writ of summons, and descending upon female co-heirs at the decease of the last male who had enjoyed the the dignity by virtue of summons to parliament; and as such, no question of abandonment could arise, as might, supposing a person had for divers years had writs of summons directed to him, and dying left a son and heir, who never had the like summons, and whose male issue long continued after, without ever claiming the dignity of his ancestor, Here is a clear and wilful abandonment of the dignity, very different to co-heiresses neither of whom had a special right in preference to the other, until the king might exercise his grace in behalf of one of them.

John ap Adam had summons to parliament, repeatedly in the reign of Edw. I., and was one of the barons summoned to attend the coronation of Edw. II. He died, leaving a son and heir who never had the like summons, and he had a son and heir, who also was never summoned to parliament. He sold, or alienated his baronial castle of Bevers-ton to the Lord Berkeley, and thus divested himself of any baronial tenure in capite; and his descendants thereafter intermixed with the commonalty of the kingdom. Now upon the precedents cited, if the first John ap Adam was created an hereditary baron by virtue of his repeated summonses to parliament, his heir general descended from him would be entitled thereto, notwithstanding a voluntary tacitness of claim for five hundred years.

In the earldom of Westmoreland case, the dignity is said to have been forfeited at common law, as *an hereditament*. If peerage be *an hereditament* at common law, then does it not bear to come within the statute of limitations, as an estate over which the common law has controul?

The most remarkable case respecting length of time of non-claim, with an apparent acquiescence of abandonment, is presented in that of the earldom of Devon. Edward Courtenay, son and heir of Henry Courtenay, earl of Devon, and marquess of Exeter, who was attainted and executed for high treason in 1538, was by queen Mary, in the first year of her reign, restored to the title of earl of Devon, by patent, limiting the same to him, *et heredibus masculis in perpetuum*, the words *de corpore suo*, being omitted; he died

a few years after, and the earldom was considered to have become extinct by his death, without issue male, or any issue at all—and thus continued, as a dignity which had expired in the Courtenay family, and vacant in the crown to grant to any other person.

Under this presumption king James I. conferred the earldom upon Charles Blount, baron Montjoy, who dying without legitimate issue, it once more terminated, and fell again to the crown; when king James in 1618, by letters patent, created William, lord Cavendish, earl of Devon, in whose descendants it thenceforth remained, till William, the fourth earl, was advanced to the title of duke of Devonshire, in 1694, when it became merged in the higher dignity, and is vested at the present day.

During all this period, the Courtenay family, though the heir male was possessed of a great estate, never assumed any claim, but permitted the earldom to be granted over twice to other families without complaining, and even accepted the very inferior honour of a baronetcy, which afterwards was advanced to the dignity of the peerage, by the title of viscount Courtenay, in 1762.

William, third viscount Courtenay, and grandson of the first, was, however, so fortunate at last to discover, (after a lapse of time of nearly two hundred and eighty years,) that the title of earl of Devon, restored by queen Mary, to Edward Courtenay, was not limited to the issue male of his body, but to his heirs male whomsoever, and that he was the heir male then entitled to the earldom. On this he presented a petition to the crown, claiming the said earldom, which petition, after having been referred to the attorney-general was reported by him favourably, and was thereupon referred to the house of lords, who in their committee of privileges resolved, that he, the viscount Courtenay, was entitled to the said earldom of Devon, which resolution was approved of by the king.

On this occasion their lordships observed that they were bounden in their decision by the letters patent, in which, whether the words *de corpore suo*, were accidentally left out, or purposely omitted, they could only be guided in their judgment, by the express words of the patent, *hæredibus suis masculis in perpetuum*, which opened the right of succession to *heirs male whatsoever*. There cannot be a doubt but that the Courtenay family considered the earldom extinguished upon the death of earl Edward in 1566, s.p., or they never would have seen it granted over to the barons Montjoy, and Cavendish, without an interposition of their own right. However, of late years, many claims to Scotch peerages, similarly limited, having been preferred, and allowed to the respective claimants, this circumstance might have led to the enquiry into, and the discovery of the contents of queen Mary's patent, which forms an anomaly in the creation, or rather limitation of English peerages.

With reference to Scotch titles, to which Lord Brougham in the committee of privileges, alluded, by assimilating the earldom of Devon to that of Annandale;—it is to be observed, the Scotch charters generally, have words of express and decisive meaning, as

hæredibus suis masculis quibuscunque in perpetuum, or hæredibus suis masculis impertuum nomen et arma familie gerentibus; but no such comprehensive words are in the Devon patent; and as to the Annandale title, it was not then, nor as it since been determined, so that it would have no bearing upon Lord Brougham's analogy, which was a gratuitous recommendation in behalf of the claimant.

The first Scotch title of this description, brought before the house of lords in England for decision, was that of Kircudbright, respecting which, it appears that Sir Robert Maclellan, was by Charles I., in 1633, created a peer of Scotland, by the title of lord Kircudbright, to hold to him, *suisque hæredibus masculis, cognomen et arma dicti Domini Roberti gerentibus*. He died in 1641 without issue male, whereupon he was succeeded by his nephew William Thomas, son of his brother William, who was second son of Sir Thomas, father of him, the said Robert lord Kircudbright. This Thomas, second lord Kircudbright, also dying in 1647 s. p., the title devolved upon his cousin John, eldest son of his uncle John, who was the third and youngest son of Sir Thomas, father of the first lord. At length by failure of all intervening heirs male, the title fell to be represented by John Maclellan, an officer at the time in the 30th regiment of foot descended from Gilbert Maclellan, second son of Sir Thomas, who was grandfather of Thomas Maclellan, the grandfather of Sir Thomas, the father of Robert first lord Kircudbright.

This John having presented a petition to his majesty, (Geo. III.) claiming the title, it was referred to the house of lords, by whom in May 1773, it was adjudged that he had a right to the title, honour, and dignity of lord Kircudbright, claimed in his petition.—He was lieutenant-colonel in the third regiment of foot guards, and retired from the service in 1789, and died in 1801, leaving two sons, who succeeded each other; but both deceased without leaving any issue male, so that the title is now dormant, though it cannot be deemed extinct so long as a male Maclellan can exist capable of proving a descent from the original stock.^a

The Scotch peerages in general, had from a very early period, a course, or line of limitation very different from those of English creation, in which respect, it would be inconsistent to adjudge an English title, by a presumed Scotch analogy; or a Scotch peerage by English precedent.

NEW LAW OF DESCENT.

(Section 5 and 6.—3 and 4 William IV., chap. 106.)

By these sections (5 and 6) it is enacted, “That no brother or sister shall be considered to inherit immediately from his or her brother or sister, but every descent from

^a When the editor was in America, in 1826, he was acquainted with a general Maclellan, in the service of the United States, who then told him he was descended of the house of Kircudbright. He was married and had male issue.

his brother or sister shall be traced *through the parent*, and that every lineal ancestor shall be capable of being heir to any of his issue; and in every case, where there shall be no issue of the purchaser, his nearest lineal ancestor shall be his heir, in preference to any person who would have been entitled to inherit, either by tracing his descent through such lineal ancestor, or in consequence of there being no descendant of such lineal ancestor, so that *the father shall be preferred to a brother or sister, and a more remote lineal ancestor*, to any of his issue, other than a lineal nearer ancestor or his issue."

CONCLUDING OBSERVATIONS.

It is said to be doubtful whether a person can refuse to waive a dignity conferred upon him by the crown. Lord chief-justice Coke asserts "if the king calleth any knight or esquire to be a lord of parliament, he cannot refuse to serve the king there, *in illo communi concilio*, for the good of his country." This opinion Mr. Cruise says is contradicted by lord-chancellor Cowper, who held that the king could not create a subject a peer of the realm against his will, because then it would be in the power of the king to ruin a subject, whose estate and circumstances might not be sufficient for the honour. His lordship also held, that a minor might, when he came of age, waive a peerage granted to him during his infancy.

Lord Trevor was of a different opinion, and held in conformity with lord chief-justice Coke, that the king had a right to the service of his subjects in any station he thought proper; and instanced in the case of the crown's having power to compel a subject to be a sheriff, and to fine him for refusing to serve. He observed that in lord Abergavenny's case, it was admitted the king might fine a person, whom he thought proper to summon to the House of Peers,^a it being there said that a person might choose to submit to a fine; and if it were allowed, the king might fine one for not accepting the honour, and not appearing upon the writ, the king might fine *toties quoties*, where there was a refusal, and consequently might compel the subject at last to accept the honour.

This doctrine of lord Trevor, leads to the presumption, that formerly when the king summoned to parliament a person who did not hold by barony, but, nevertheless, was a tenant in capite of the crown, or otherwise a person of consummate judgment, whose advice he wished to have in common with the peers of the realm, such person could not

^a It does not follow because the king might think proper to summon a person once for his advice, he was bound to summon him thereafter;—the writ is merely mandatory, has nothing of peerage creation in it, inferring hereditary succession, which is only assumed to be meant by implication. Thus the records show that formerly the kings summoned divers persons to parliament for several succeeding years, and sometimes during life; but never after called their heirs and descendants to parliament by a continuance of similar writs.

waive the writ, but was obliged to attend, or submit to a fine, which being at that æra a part of the royal revenue, would not be likely to be suspended in case of disobedience to the writ. Many of those whose baronies were of small extent, looking upon the attendance on parliament so frequently called, and at very distant places, to be a burdensome service, were more anxious to be omitted than summoned; and in such respect, would often endeavour to deny their tenure or liability, as is shown in the instances of Furnival, and the abbot of Leicester. This may in many respects account for some who were summoned to several parliaments, not being again summoned, or any of their descendants; unless it be supposed that the king did not by the writ confer on them an hereditary peerage.

As the fine was a penalty of non-attendance upon the summons, it follows to be assumed, that where no fine is to be found in the records of the exchequer, that those to whom writs were directed, did attend the parliament to which they were summoned: and although, the being appointed a trier of petitions may be a proof of sitting, it is not proof against the other persons named in the writ of summons being absent, for the triers could only be nominated by those who were present, which persons would be no others than those who were summoned.

In the summons of the 35 Edw. I., it is thus noticed, viz. *Reginaldus de Grey, venit per Tho. de Wymersham, attornatum*.^{*} This person was not a baron, he could not therefore be a peer's proxy, as of equal rank. He was the attorney for Reginald de Grey, and appeared for him, as it would seem, merely to save the penalty, or fine imposable for non-attendance to the mandate of the writ. ^{* Dugd. Lists.}

This indicates as strong a ground for believing the persons summoned always either personally attended, or by attorney or proxy, shewed cause for absence. Hence the argument must apply, that where divers summonses were addressed for several successive years to the same person, he was by virtue thereof an hereditary peer of parliament, unless it be considered that the king's writ was only mandatory *pro hac vice, toties et quoties*, and not creative of a descendable dignity.

REFERENCES TO THE PROOFS OF SITTING IN PARLIAMENT, TO THE 19 HEN. VII.

THE Rolls of Parliament commence only in the 6 Edw. I., A. D. 1278, from which period there are not any summonses to parliament upon record till the 22 Edw. I., so that, although several parliaments were undoubtedly holden in the interim, yet there is no evidence of the names of those who were summoned thereto.

The Claus. Rot., 6 Edw. I. (m. 5. in dorso), sets forth, Memorandum quòd in parli-

amento Regis Edwardi apud Westm^r in festo Sancti Michis anno regni ejusdem Regis Sexto in presencia Episcoporum Wynton', Dunelm', Hereford', Norwic', Prioris Provincial' ordinis fratrum predicatorum in Anglia, Decani Sarum, Magistri Thome Bek, Willielmi de Valencia, Avunculi regis, Comitum Cornub' Glouc' Waren' Warr' & de Karrick, with other names, which excepting Robert Fitz Walter, Robert de Tybetot, and John de Cobbeham, as barons thereafter mentioned in writs of summons to subsequent parliaments, are those of the judges of the several courts, officers of the palaces, and the court royal.

To this assembly came Alexander, king of Scotland, and acknowledged himself the liege man of king Edward, and did homage to him accordingly.

Anno 1290, the 18 Edw. I.: Memorandum quod in crastino San^ct Trinitatis anno regni regis decimo octavo in pleno parlamento ipsius Domini regis Robertus Bathon' & Wellen's &c. Episcopi, Edmundus frater Domini regis, Will^us de Valenc', Comes Penebrok &c. Robertus de Tippetot, Reginaldus de Grey, Johannes de Hastings, Johannes de Sancto Johanne, Richardus filius Johannis, Will^us le Latymer, Rogerus de Monte Alto, Will^us de Brewose, Theobaldus de Verdun, Walterus de Huntercumb, Nichus de Segrave. Et cæteri magnates et procures tunc in Parlamento existentes, pro se & communitate totius regni, quantum in ipsis est concesserunt Domino regi ad filiam suam primogenitam maritand', quod ipse Dominus rex percipiat & habeat tale auxilium, et tantum quale & quantum Dominus Henricus rex pater suus percepit & habuit de regno &c.

Of these persons mention is made by Sir William Dugdale in his Baronage, as among the barons who had summons to subsequent parliaments.

The parliament roll of the 20 Edw. I., A. D. 1292, follows the parliament holden at London.

This roll sets forth a great plea between the earls of Gloucester and Hereford, apud Bergaveny, and recites—viz. “Mandavit dominus rex per literas suas delectis & fidelibus Johanni de Hasting, Johanni fil' Reginaldi, Edmundo de Mortuo mari, Rogero de Mortuo mari Theobaldo de Verdun, Johanni Tregoz, Wiffo de Breuse, Galfrido de Cammill, &c.; quod intersint apud Brakennock &c.” Postea the said named attended; excepting William de Breuse, who excused himself on the ground that his lands in Wales were in the king's hands.

The earl of Hereford, with the above named persons (excepting William Breuse) attended; but the earl of Gloucester did not. Whereupon, “dictum est ex parte domini regis, *Johanni de Hasting et omnibus aliis magnatibus supranominatis* quod pro statu et jure regis, et pro conservatione dignitatis corone & pacis sue, apponant manum ad librum faciend' id quod eis ex parte domini regis injungetur.”

Rot. Parl. 21 Edw. I., A.D. 1293, Vol. I., p. 114-15.

Witnesses to a deed in the nature of a fine, between John Baliol king of Scots, and Edw. I., touching certain lands claimed by the said John Baliol.

R. Comite Pictav' et Cornub'.	Comite de Atthol.
W. Comite Warrenn'.	Comite de Ros.
J. Comite Linc' Constabular' Cestr'.	Wifmo Lungespee.
W. Comite Albemarl'.	Radulpho de Thonny.
R. Comite Wynton.	W. de Ros.
S. de Monte Forti.	R. de Ros.
G. Mar' Com' Penbr'.	W. de Ferrar'.
Com. Patric'.	R. Bertram.
Com' de Strathern'.	H. Paynel.
Comite de Lavenach.	G. de Umfranvill.
Comite de Angus.	Amaur' de Saneto Amando.
Comite de Mar.	Petro de Malo Lacu.

It is worthy of remark that the parliament roll does not notice the parliament at Lincoln, of the 29 Edw. I., when the famous letter from the nobles of England is said to have been subscribed by the peers, and sent to the pope, touching the supremacy of England over Scotland.

Parl. Rot. de Anne, 35 Edw. I., A.D. 1306, Vol. I., p. 188.

hic Edwardus Princeps. Wall' filius R.	Robtus de Veer Comes Oxon' excusat
hic Henr' de Lacy Comes Lincoln'.	p R.
Radus de Monte Hermerii Comes	Gilb'ts de Umframvill Comes de Anegos.
Glouc' & Hertf'.	Henr' de Lancastr'.
Thomas Comes Lancastr'.	Adomarus de Valenc'.
Humfrs. de Bohun Comes Heref. &	Joñes de Ferar'.
Essex.	Hen' de Percy.
Joñes de Warennia Comes Surr' ex-	hic Hugo le Despencer.
cusat' quia in Wall' de Lic' R.	Robtus fil' Wal'ti veniet cum Card'.
Edmundus Comes Arundel.	Wiffs de Latim'.
Joñes de Britann' Comes Richemund.	Robtus de Clifford.
Guido de Bello Campo Comes Warr'.	Robtus de Monte alto.

- Joñes de Hastings.
 Joñes de la Mare.
 Joñes de Ripar'.
 Joñes de Mohun.
 Petrus de Malo lacu excusa' p Justic'.
 Robtus fil. Pagani.
 hic Hugo de Courtenay.
 Edñius Deyncourt excusa' p Justic'.
 Joñes de Sto Joñe de Lageham.
 Galfñs de Geynvill.
 Thom' de Furnivall.
 Robtus de Tony.
 Thom' de Berkele.
 Wiffrs de Brewosa.
 Petrus Corbet.
 Wiffrs Martyn excusa' p Justic'.
 Thom' de Multon.
 Joñes ap Adam.
 Phus de Kyme excusa' p B.
 Joñes de Segeve.
 Robtus fil' Rogi.
 Hugo de Veer.
 Walfrs de Faucunberge.
 Radus Basset de Drayton.
 Rogus la Warre.
 Joñes Paynel.
 Alx' de Balliolo.
 Hugo Pointz.
 hic Rogus de Mortuo mari.
 hic Wiffrs de Rithre.
 Reginaldus de Grey ven' p Thom' de
 Wytresham attorn'.
 hic Walfrs de Muncy.
 Robtus de Scales.
 Adam de Welles.
 Almaric' de Scō Amando.
- Wiffrs de Cantidupo.
 Joñes Engaigne.
 Gilbertus Peeche.
 Joñes de Claŷyngg.
 Wiffrs de Leyburn.
 Joñes de Bello Campo de Soñs.
 hic Wiffrs de Grandisono.
 Joñes Extraneus.
 Joñes de Insula.
 hic Joñes de Sudle.
 Simon de Monte Acuto excusa' quia in
 Scoc'.
 hic Walfrs de Teye.
 Edñius de Hastings.
 Joñes de Lancast'.
 Joñes de Sto Joñe
 Henr' Tregoz.
 Joñes Lovel de Tychemerch.
 Alanus la Zusche.
 Henr' Tyeys.
 Nichs de Segeve.
 Fulco Filius Warini.
 Joñes filius Reginaldi.
 Galfridus de Camvill excusatur p Regem
 ut testatur litera Domini Roberti de
 Cotingham.
 Wiffrs le Vavasour Justic' Trailb'.
 Wiffrs de Ferar'.
 Robtus de Grendon.
 Edñs Baro Staff'.
 Radus fil' Willi'
 Thom' de la Roche.
 Theobaldus de Verdon, Junior.
 Wiffrs Tuchet.
 Henr' Huse.

To this roll of earls and barons is to be added the Archbishop of York Angl' Primat and 19 bishops. But the Archbishop of Canterbury is not mentioned. 48 abbots.

Roĝs Brabazon.	Witts Inge excusatur p Traið.
Witts de Ormesby.	Maĝr Will' Pykering Archidiac'.
Gilbtus de Roubury.	Notingh'.
Witts de Bereford.	Maĝr Robertus de Pykering.
Petrus Malorre.	Maĝr Thomas de Luggore.
Joĥes de Berewyk.	Maĝr Johannes de Cadamo.
Joĥes de Insula.	Maĝr Petrus de Dene.
Henricus Spigurnel	Maĝr Riĥs de Plumstok.

N.B.—Mandatum fuit singulis Vicecomitibus qđ de quolibet comitatu duos milites, & de qualibet civitate duos ciues, & de quolibet Burgo duos Burgenses eligi, & ad dictum parliamentum venire facerent ad tractandum &c.

Appendix Rot. Parl. Vol. I. p. 267.—Claus. 33 Edw. I., m. 13, Dorso.

Ordinatio facta per Dominum Regem pro stabilitate terre scocie.

Names of Peers nominated, viz:—

Le Counte de Nicole (Linc.)	Mons' Roger Brabazun.
„ de Hereford.	Sir Rauf de Hengham.
Mons' Hugh le Despens'	Mons' William de Bereford.
„ Henry de Percy.	„ Roger de Hegham.
„ Johan de Hastings mes il ny poeit	„ Johan del Isle.
venir p la Maladie.	Sir Johan de Benstede.
„ Johan Boteturt.	„ Johan de Sandall.
Mons' William Martyn.	

(EDWARD II.)

Rot. Parl. 8 Edw. II., A.D. 1314-15, Ibid p. 325, (No. 173.)

Mem.—Quod rex vult quod Dñus Edmundus Deyncurt Joĥes de Crumbwell & Joĥes de Hotlham & Lambertus de Thrykingham ^a assignentur ad audiend' & terminand' omnes querelas omnium conqueri volentium de &c. transgressionibus eis factis per Joĥem de Segrave &c. &c.

Ibid. No. 178.

Mem.—Quod per magnum consilium assignantur Joĥes de Moubray Hen' le Scrop Joĥes de Insula & Richardus Bernyngham ad omnes querelas omnium conqueri volumus de Gerardo de Salveyn &c. &c.

^a He was summoned as a baron 8 Edw. II.

Ibid. 9 *Edw. II.*, A.D. 1315, *Ibid.* p. 350. (No. 1.)

Verumptamen quia Thomas comes Lancast' et quidam alii Magnates de regno de quorum concilio Dñs rex voluit procedere in dñis arduis negotiis nondum venerant Dñus rex voluit differre exprimere negotia illa usq' adventum Procerum pred̃cor'—&c. injungtū fuit Johi de Sandall cancellar' quod ipse reciperet procuratoria & excusationes prelatorum & aliorum summonitorum ad dictum parliamentum & non venientium &c. et Dñus rex associavit ad hoc prefato cancellar' Walterum de Norwico Thes' Anglie et *Willm Inge*.

Die Jovis sequenti concordatum fuit quod super petitionibus procederetur usq' ; adventum prefati comitis Lanc' & aliorum procerum sic absentium et nominati fuerunt pro petitionibus Anglie. Edwardus Deyncourt, Johannes de Insula, Philippus de Kyme, Henricus L'Escrop.

Et pro petitionibus Wall' Hibn & Scot'.

Radus fit Wiſſi.

Ibid. 352, (No. 2.)

Hugh le Despenser having been attached for insulting Sir John de Ros, in the presence of the king, in parliament, at Lincoln, the following were bail for his appearance, viz.:—

Robtus de Umfravill Comes de Anegous.	Radus Basset.
Rogerus Mortuo mari de Chirk.	Wiſſus de Ferrariis.
Theobaldus de Verdon.	Robtus de Hastang.

And the following were mainprisors or bail for Sir John de Ros, who with Hugh le Despenser, was committed to the custody of the Mareschal, viz. :—

Adomarus de Valentia Comes Pembr'.	Gilbertus Pecche.
Johes de Warennia Comes Surr'.	Thomas Latymer.
Edm̃s Comes de Arondell'.	Rogerus de Felton.

Rot. Parl. 14 *Edw. II.*, A. D. 1320.—(*Ibid.* p. 365.)

Triers of Petitions.

Johes de Soñry.	Wiſſus Martyn.
Ricus de Grey.	Galfridus le Scrop. (?)
Wiſſus de Herle. (?)	Walſus de Freskeneye. (?)
Hugo de Curteneye.	

Appendix Rot. Parl.—Ibid. p. 443, Claus. 3, Edw. II., m. 8, Dorso, (No. 3.)

The following names are recited in a letter from Robert, Archbishop of Canterbury, Primate of all England, to certain Bishops, and other magnates regni; viz.:

Gilbt de Clare de Glouc & de Hertford.	Robt de Clifford.
Thom' de Lanc'	Robt le Fitz Payn.
Henr' de Lacy de Nicole.	William le Mareschall.
Humfrei de Bohun de Heref' & Essex.	John Lovel.
John de Bretagne de Richeñd.	Rauf le Fitz Will.
Aymañ de Valence de Pembrok.	Peyn de Tybotot.
Guy de Beauchamp de Warr'.	John Botetourte.
Esmon de Arundel (countes).	Bartelemeū de Badlesmere
Henr' de Lanc'.	John de Grey.
Henr' de Percy.	John de Crumwell.
Hugh de Veer.	Salutz en nře Seigniur.

Ibid. p. 447, Pat. 5, Edw. II. ps. 2, m. 17. Intus. (No. 11.)

Peers named to enquire respecting certain ordinances:—

Guidonis Ferre.	Willi Deyncourt.
Johis de Crumbewell.	Henrici Spigurnel
Hugonis de Aldeley.	Henř le Scroop.

Militum.

Ibid. p. 453-4, Claus 12 Edw. II., m. 22, Dorso. (No. 29.)

Memoranda de mora Prelatoř Coñ & Barouñ juxta latus Regis.—This record contains the following names, viz:—

Les Countes Mareschall.	Sire Hugh le Despenser le fuiz.
Edmūd son Frere.	„ Johan de Grey.
Les Countes de Pembrok.	„ Richard de Grey.
„ „ Richemund.	„ Bartholm de Badlesmere.
„ „ Hereford.	„ Robert de Mohaut.
„ „ Ulnester.	„ Rauf Basset.
„ „ Arundel.	„ Roger de Mortimer.
„ „ Anegos.	„ Johañ de Somery.
Sire Johan de Hastyngs.	„ Wauter de Norwich.
„ Johan de Segrave.	„ Hugh de Courteny.
„ Henř de Beaumont.	

Ibid. p. 455, Claus. 14 Edw. II., Dorso. m. 7.

De essendo certo die apud Glouč ad tractandum

Rex dilecto & fideli Johanni de Hastings &c.

Eodem modo mandatum est subscriptis, mutatis competenter mutandis.

Humfridode Bohun comiti Hereford & Essex.	Hugoni le Despenser Juniori.
Rogero de Mortuo mari de Wyggemore.	Johanni Giffard de Grimmesfeld (Brim?)
Rogero de Mortu mari de Chirk Justic'	Thome de Berkele.
Wallie.	Mauricio de Berkele.

Rot. Parl. 5 Edw. III. A.D. 1331, Vol. II., p. 61.

Peers appointed to treat about the affairs of France.

Les Countes Mareschal.	Monš Hugh de Courtenay.
„ de Garenne.	„ Geffrei le Scrop.
Monšr Henř de Beaumont.	„ „ de Montague.
„ Henř de Percy.	„ William de Herle. (?)

N.B.—In the same parliament the following came, and were mainprisors or bail, for Hugh le Despenser le puisne.

Monš' Eble Lestrangle.	Monš' Rauf de Nevill.
„ Rauf Basset.	„ Johañ de Verdon.
„ Johañ de Roos.	„ Thomas de Neumarche.
„ Richard Talbot.	„ Johañ Darcy.
„ Rošt de Colevill.	„ Johañ de Rithre.

Triers of Petitions 6 Edw. III., A.D. 1332, Ibid. p. 68.

Monšr Hugh de Courtenay.	Monšr Rauf Basset de Drayton
„ William la Zousch de Ashby. (Barons.)	„ Richard de Grey. (Barons.)

N.B.—Monš Henri le Scrop, who was summoned as a baron, the 8 Edw. II., is here named one of the triers or receivers of Peñons: but is denominated as one of the justices; and Monš Geffrei le Scrop, another of the triers of petitions, is not noticed as a baron, though he was so summoned the 3 Edw. III., but is styled chief-justice, and le Tresorer.

In the same parliament the Countes de Garenne, (Warini) and de Warrewyk, and le Seigñ de Percy, Monšr Henri de Beaumont, Hugh de Courteneye, and William de

Clynton, barons, are appointed to treat upon other business. Their nominations appear to be similar to the Committees of the House, as appointed at the present day.

L'acord pris q. Le Roi soit aidez Rot. Parl. 13 Edw. III., A.D. 1339.—Ibid. V. II. p. 103.

Monŝr le Duc de Cornwaill Gardeyn	Les Seignur de Moubray.
D'Engleterre	„ „ de Segrave.
Les Countes D'Arundel	„ „ de Berkele.
„ „ Warewyk.	Monŝr Hugh le Despenser.
„ „ Glouč.	Le Seignur de Morle.
„ „ Oxenford.	„ „ de Bardolf.
„ „ Huntynndon	Monsr Gilbert Talbot.
„ „ Boghan.	„ Robert de Lisle.
Les Seignur de Wake.	„ William de la Pole.

Rot. Parl. 14 Edw. III., A. D. 1340.—(Ibid. p. 112, 13, 14.)

Peers present in the Great Hall at Westminster.

Le Countes de Derby.	Le Count de Anegos.
„ „ Northt'.	Seign de Wake.
„ „ Warrenn'.	„ de Wylughby.
„ „ Warrewyk.	Le Baron de Stafford.
„ „ Arondell'.	Monŝr Rauf Basset.
„ „ Huntynndon.	

Among the triers or receivers of petitions, Monŝr William de la Pole is named for those from Flanders ; but he appears to be the only baron among those appointed.

In the same parliament Les Seignurs de Percy, Monŝr Rauf de Nevill, and Monŝr Geffrai le Scrop, are named for other matters. Also Le Counte de Northt' and Monŝr Henry de Ferrers, on other affairs. Le Counte de Anegos, Le Seignur de Percy, Monŝr Rauf de Nevill, Monŝr Antoinne de Lucy, are appointed for the guard of the Marches of Scotland ; to whose names are added, Monŝr William de Felton, and Monŝr Johaň de Stryvelyn ; but, according to Dugdale's Lists of Summons, neither of these had summons to parliament before the 16 of Edw. III ; though the name of Robert Felton is recited in the 6 & 7 of Edw. II.

For the guard of the isles and sea coast, there are mentioned :—

Les Countes de Garenne.	Monŝr Robert de Bousser
„ „ de Arundel.	Monŝr Constantyn de Mortimer.
Count de Huntingdon.	

Likewise, there are appointed to try the petitions for England, viz. :

Les Countes d' Arundel.	Le Seignur de Berkele.
„ „ de Huntyngdon.	Monŕ Nicol de Cantelu.
Le Seignur de Wake.	„ Richard de Wylughby. (?)

And for the petitions of Gascoigne, Gales, Irland, and Escoce.

Le Counte de Northt'.	Monŕ Antoigne de Lucy.
Monŕ Rauf Basset de Drayton.	Le Seignur de Wylughby. (?)
„ Roger de Grey.	

For the investigation of the accounts of de Seignur William de la Pole and others, there are assigned—

Les Countes de Derby.	Le Seignur de Wake.
„ „ de Arundel.	Monŕ Rauf Basset de Drayton.
„ „ de Huntyngdon.	

And for petitions before the king—

Le Counte de Huntyngdon.	Monŕ Thomas Wake de Lidel.
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Ibid. 14 *Edw.* III. A. D. 1340.—*Ibid.* p. 118-19., m. 2.

Le Count d' Arundell.	Monŕ William de la Pole.
Monŕ le Wak.	„ William Trussel.
„ Rauf Basset de Drayton.	„ Johan de Hardershull.
„ Bertlemeū de Burghash'.	„ Nicholas de la Beche.
„ Geffrai le Scrop'.	„ Johañ Molyns.

These are named as being present in parliament; but the lists of Dugdale do not notice Trussel, Hardershull, De la Beche, and Molyns, to have had summons before the 16 *Edw.* III.

Rot. Parl. 15 *Edw.* II. A.D., 1341.—*Ibid.* p. 126

The purposes of the assembling of the parliament, were declared in the presence of divers prelates, and the following temporal nobility:—

Monŕ Robert d'Artoys.	Des Countes de Pembrogge.
Des Countes de Northt'.	„ d' Anegos.
„ d' Arundell.	„ d' Oxenford.
„ de Huntyngdon.	„ de Devenshire.

Des Countes de Sarum.	Monŝr Hugh Le Despenser.
„ de Suff.	„ Nicol de Cantelon.
Des Seignurs de Percy.	Le Seign' de Segrave.
„ de Wake.	

Triers of Petitions, viz :

Le Counte de Northt'.	Le Seigñr de Wake.
„ d'Arundell.	Monŝr Thomas de Berkele.
„ de Huntyngdon.	„ Johañ de Cherleton.
„ de Devenshire.	

The following were appointed as a Committee to report on certain matters submitted to them.—(p. 127).

Les Countes D'Arundell.	Les Seignurs de Wake.
„ „ de Sarum.	„ „ de Percy.
„ „ de Huntyngdon	Monŝr Rauf de Nevill.
„ „ de Suff.	„ Rauf Basset de Drayton.

Under the same names, with that of Northampton instead of Suffolk, were appointed together with four bishops, to take into consideration some other business.—(p. 129.)

Ibid. 17 *Edw.* III. *A.D.* 1343.—*Ibid.* 135.

Les Countes de Warĩ.	Le S. de Percy.
„ „ Suff.	Monŝr Thomas de Berkele.
„ „ Huntyngdon.	„ Rauf de Neville.
„ „ Devonshire.	„ Antoigne de Lucy.

Item—assembled in the painted chamber with the king :—

Les Countes de Northt'.	Les Seigñ de Percy.
„ „ D'Arundell.	„ de Wake.
„ „ de Warĩ	Monŝr Rauf de Nevill.
„ „ de Hunť.	„ Hugh Le Despenser
„ „ de Devenshire	„ Thomas de Berkele,
„ „ de Suff.	Et ad autres Grantz, &c.

Ibid. 18 *Edw.* III. *A. D.* 1344.—*Ibid.* pp. 146-7-8.

Les Countes de Huntyngdon	„ „ de Suff.
„ „ de Devenshire	„ „ d' Oxenford.

Le Seign' de Wake.
 „ de Percy.

Le Seign' de Berkele.
 Monšr Nicol de Cantelowe.

The parliament adjourned to another day, when there were assembled in the presence of the king.

Le Prince de Gales.
 Des Counts de Northt'
 „ „ de Warr'.
 „ „ de Oxoñ.
 „ „ de Pembř.
 „ „ de Suff'.
 „ „ de Hunt'

Des Counts de Devenshire.
 „ „ de Anegose.
 Des Seign' de Wake.
 „ „ de Percy.
 „ „ de Berkele.
 Monšr Hugh Le Despenser.
 „ Rauf de Nevill.

Et autres Barons & Baneretts.

N. B. The above nobles, with the exception of the prince of Wales, and the addition of Monšr Nicol de Cantelowe, were present on another day in La Chaumbre Blaunche, in the presence of the king.

Also in the said parliament, at the prayer of the commons, a certain patent under the great seal was assented to by the prelates and peers, to which the earls of Northampton and Suffolk, Le Seignur de Wake, Monšr Johan' Darcy, Chaumberleyn, and Mestre, Johan' de Ufford Gardeyn du Prive Seal, were witnesses.

Ibid. 20 *Edw. III.*, A. D. 1346.—*Ibid.*, p. 157-8-163.

Triers of Petitions, viz :

Le Seign' de Wake.
 Monšr William de Thorpe(?)

Monšr Thomas de Berkele.
 „ Richard de Wylughby(?)

Other peers in parliament :—

Monsř Barthelmeū de Burghersh.
 „ Johan Darcy Le Chaumberleyn.
 Les Seignurs de Wake.

Les Seignurs de Segrave.
 „ „ de Berkele.

Persons to whom, as Seignurs du Parliment, a letter was addressed by the king from before Caleys.

Les Countes de Northampton.
 „ „ de Arundell.
 „ „ de Warrewyk.
 Les Count d' Oxenford.

Les Count de Suff.
 Hugh Le Despenser.
 Seignur de Glamorgan and
 Morgannok.

Ibid. 21 *Edw. III.*, A.D. 1347, *Ibid.* p. 165.

Les Countes de Lancast'r.	Le Seign de Percy.
„ „ Arundell.	„ „ Berkele.
„ „ Huntynghton.	Monſr Rauf de Nevill.
„ „ Oxenford.	„ Richard Talbot.
„ „ Suff'.	„ Wauter de Manny.
„ „ Northt'.	„ William de Thorpe (?)
Le Seign de Wake.	Le Baroun de Stafford.

Ibid. 25 *Edw. III.*, A.D. 1350.—*Ibid.* p. 226.

Le Conte de Northampton.	Le Baron de Stafford.
„ „ Arundell.	Monſr Rauf Nevill.
„ „ Huntingdon.	„ Richard Talbot.
„ „ Lancastre.	„ Thomas Bradeston.
„ „ Warewyk.	„ Richard de Wylughby. (?)
„ „ Suff'.	

Ibid. 25 *Edw. III.*, A. D. 1351-2.—*Ibid.* p. 236.

Le Count de Northampton.	Monſr Rauf Nevill.
„ „ Arundell.	Le Sire de Bret. (who ?)
„ „ Huntynghdon.	Monſr Richard Talbot.
„ „ Warwyk.	„ Thomas Bradeston.
„ „ Stafford.	„ Richard de Wylughby. (?)
Le Seign de Percy.	

It is queried whether this ought not to be the 27th *Edw. III.*—(Vide Cotton's Abridgement, p. 78).

Ibid. 28 *Edw. III.*, A. D. 1354. *Ibid.* p. 254.

Le Duc de Lancast'r	Le Counte de Stafford.
Le Counte de Northampton.	Le Seign de Percy.
„ „ Arundell.	Monſr Rauf de Nevill.
„ „ Huntynghdon.	„ Guy de Bryan.
„ „ Warrewyk.	„ William de Thorp. (?)
Monſr Richard de Wylughby. (?)	

Ibid. 36 *Edw. III., A. D.* 1362. *Ibid.* p. 268.

Le Counte de Lancastre.	Le Sire de Nevill.
„ „ Arundel.	„ „ Manny.
„ „ Anegos.	Monſr Henry le Scrop.
„ „ Suff’	„ John Moubray.
„ „ Salisbirs’	Johan Knyvet. (?)

Ibid. 37 *Edw. III., A. D.* 1363. *Ibid.* p. 275.

Le Duc de Lancastre.	Le Sire de Beaumont.
Le Conte de Herford.	„ „ Clifford.
„ „ Arundel.	Monſr Rauf de Nevill.
„ „ Suff’	„ Guy de Bryan.
„ „ Stafford.	Le Sire le Despenser.
„ „ Salisbirs’	„ de Roos.
„ „ Angous.	Monſr Wauſr de Manny.
„ „ Cantebrigg.	„ Henry le Scrop.
Le Sire de Moubray.	„ Roſr de Beauchamp.
„ „ Percy.	Johañ Knyvet. (?)

Ibid. 38 *Edw. III., A. D.* 1364.—*Ibid.* 283.

Le duc de Lancastr’.	Le Sire de Percy.
Le Counte de Cantebrigg.	Monſr Rauf de Nevill.
„ „ Hereford.	„ Guy de Bryan.
„ „ Arundel.	Le Sire le Despenser.
„ „ Suff’.	Monſr Wauter et Manny.
„ „ Stafford.	„ Roger de Beauchamp
„ „ Salesbirs’.	„ Johan Moubray.
„ „ Devenshire.	„ Henry le Scrope.
„ „ Angos.	„ Johan Knyvet. (?)

Ibid. 40 *Edw. III., A. D.* 1366.—*Ibid.* p. 289.

The same names, except Henri le Scrop.

Ibid. 42 *Edw. III., A.D., 1368.—Ibid. p., 294.*

The same names excepting Le Despenser, and as before noticed Henri le Scrop.

Ibid. 44 *Edw. III., A. D. 1369.—Ibid. p. 229.*

Le Duc de Lancastre.	Le Counte D'Angos.
Le Counte de Hereford.	Le Sire de Percy.
„ „ Arundell.	Monſr Johan de Nevill.
„ „ Warrewik.	„ Guy Brian.
„ „ Suff'.	„ Roger de Beauchamp.
„ „ Salesbury.	„ Johan de Moubray.
„ „ Stafford.	„ Knyvet. (?)
„ „ Devenshire.	

Ibid. 45 *Edw. III., A. D. 1371.—Ibid. p. 303.*

Le Counte de Hereford.	Le Counte de Suff.
„ „ Arundel.	Le Sire de Latymer.
„ „ Pembrok.	Monſr John de Nevill.
„ „ la Marche.	„ Guy Brian.
„ „ Salesbirs'.	„ Roger de Beauchamp.
„ „ Stafford.	„ Wauter de Manny.
„ „ Warrewyk.	„ Rauf Basset de Drayton.
„ „ Devenshire.	„ John Moubray.
„ „ Angos.	„ John Knyvet. (?)

Ibid. 46 *Edw. III., A.D. 1372.—Ibid. p. 309.*

The duke of Lancaster king of Castile & Leon.

Le Conte de Cantebrig.	Le Conte de Suffolk.
„ „ Hereford.	Le S'r Despenser.
„ „ d'Arundell.	„ de Roos.
„ „ la Marche.	Monſr Guy de Briane.
„ „ Saresbirs'.	„ John de Charleton de Powys
„ „ Warrewyk.	„ Rauf Basset de Drayton.
„ „ Stafford.	„ John Moubray.

Ibid. 47 *Edw. III., A.D. 1373.—Ibid. p. 317.*

Le Counte de Cantebrigg.	Monſr Guy de Brian.
„ „ d'Arundell.	„ Henry le Scrop.
„ „ Salesbirs'.	Le Sř de Clyfford,
„ „ la Marche.	Monſr Amary Seint Amand.
Monſr Willam la Zouche de	„ Richard de Stafford.
Haryngworth.	

Ibid. 50 *Edw. III., A.D., 1376.—Ibid. p. 321.*

Le Roy de Castelle & de Leon Duc de Lancastre.

Le Cont de Cantebrugg.	Le Sř de la Zouche de Haryngworth
„ „ Marche.	Monſr Guy de Bryan.
„ „ d'Arundell.	Le Sř de Basset de Drayton.
„ „ Warr'.	„ Bardolf.
„ „ Suff'.	„ Clifford.
„ „ Stafford.	Monſr Guy de Bryene (? Junr.)
„ „ d'Angos.	„ Amory de Seint Amand.
Le Sř de Percy.	„ Henry le Scrop.
„ Roos.	„ Richard de Stafford.

Mem.—The earls of March, Warwick, Stafford, and Suffolk, and the lords Percy, Guy de Brian, Henry le Scrop, and Richard de Stafford were appointed to have a conference with the Commons respecting an aid and other matters.—*Ibid.*

N.B.—The lord Latymer having had certain charges preferred against him in parliament: the following peers were sureties for his appearance.

Le Count d'Arundell.	} S'il plest au roi.	Le Sire Bardolf s'il plest au Roi.
„ „ Saresbirs'.		„ „ Butetourte.
„ „ Stafford.		Monſr Johan d'Arundel.
Le Sire de Percy.		„ William Beauchamp.
„ „ Nevill.		„ Johan de Montagu.
„ „ Roos.		Monſr Robert de Ferrers.
„ „ Basset.		„ John Lovell.
„ „ Clifford s'il plest au Roi		„ William de Nevill.
„ la Zousche puratant come		„ Rauf Crumwell.
sa terre vaut pur un an.		Le Sire de Berkele.
Le Sire Fitzwalter.		Monſr Michell de la Pole.
„ L'Estrange.		„ Rauf de Ferrers.
„ de Darcy.		

Triers of Petitions 51 *Edw. III., A.D., 1376-7.—Ibid. p. 363.*

Le Roy de Castille & Leon Duc de Lancastre.

Le Conte d'Arondell.	Le Sř de Fitzwauter.
„ de Warr'.	Monřr Guy de Bryane.
„ „ Saresbirs.	Le Sř de Basset de Drayton.
„ „ Stafford.	„ Clifford.
„ „ la Marche.	Monřr Johan de Montagu.
„ „ Suff'.	Le Seigřr de Roos.
Le Seigřr de Percy.	Monřr Henř le Scrop.
„ „ Latymer.	„ Richard de Stafford.
„ „ Nevill.	„ John Knyvet (?)

Ibid. 1 Ric. II., A.D., 1377.—Ibid. Vol. III., p. 4-5.

Le Roi de Castille & de Leon Duc de Lancastre.

Le Counte de la Marche.	Le Sř de Cobham.
„ „ d'Arondell.	„ Fitzwauter.
„ „ Warr'.	Monřr Roger Beauchamp,
„ „ Staff'.	„ Johan Kynvet. (?)
„ „ d'Angos.	Le Sire de Roos.
„ „ Northumbr'.	„ „ Clifford.
„ „ Cantebbrugge.	„ „ Bardolf.
„ „ Buckyngnam.	Monřr Richard de Stafford. (?)
„ „ Salesbirs.	„ Johan Deverose. (?)
„ „ Suff'	„ Rauf de Ferrers. (?)
Le Sř Latymer.	„ Hugh de Segrave. (?)
„ Neville.	Le Sire de Basset.

Peers charged with other affairs :—

Le Conte de la Marche.	Le Sř de Nevill.
„ „ d'Arundell.	Monřr Henř le Scrop.
„ „ Warrewyk.	„ Richard de Scrop.
„ „ d'Angos.	„ Richard de Stafford.

Peers in parliament 28 Nov., 1 Ric. II., A.D. 1377, (p. 11).

Le Duc de Lancastř.	Richard Counte d'Arundell.
Esmond Counte de Canteb'.	Thomas Counte de Warr'.
Esmond Counte de la Marche.	Hugh Counte de Staff'.

William Counte de Suff'.	Roger Sire de Clifford, & plusours
William Count de Sarlesbris.	autres Seignrs, Barons, & Ban-
Henry Counte de Northumbr'.	erettes esteantz au dit parlement.
Johan Sire de Neville.	

Ibid 2 Ric. II., A.D., 1378.—*Ibid*. p. 34.

Le Roi de Castille & de Leon Duc de Lancastre.

Le Conte de la Marche.	Le Sř de Latymer.
„ „ d'Arondell.	„ Cobham.
„ „ Warr'.	Monřr Henry le Scrop.
„ „ Stafford.	„ Roger de Beauchamp.
„ „ Northumbr'.	„ Richard de Stafford. (?)
„ „ Canteb'.	Le Sř Lestraunge de Knokin.
„ „ Buckyngham cones-	„ Fitz-Wauter.
table of England.	Monřr John Montagu. (?)
„ „ Salesbirs'.	„ Johan d'Arondell. Mares-
„ „ Suff'.	chal d'Engl'.
Monřr Johan Devrose. (?)	Monřr Johan Kynvet. (?)

Idem. 2 Ric. II., A.D. 1379.—*Idem*. p. 56-7.

Le Roi de Castille & de Leon Duc de Lancastre.'

Le Conte de Cantebrygg.	Monřr Roger de Beauchamp.
„ „ la Marche.	„ Richard de Staff'. (?)
„ „ d'Arondell.	Le Duc de Bretagne Conte de
„ „ Warr'.	Richemond.
„ „ Northumbr'.	Le Conte de Staff'.
„ „ Buk' Conestable	„ „ Suff.
d'Engleterre.	Le Sř Lestrangle de Knokin.
Le Sř de Latymer.	„ „ Bardolf.
„ Johan d'Arundell mares-	Monřr Johan Montagu. (?)
chal d'Engl'.	„ Johan Knyvet.
„ Cobham.	

N.B.—Names of peers appointed in this parliament to examine the revenue of the crown at the desire of the commons, viz :—

Le Conte de la Marche.	Monřr Guy de Brien.
„ „ Warr'.	„ Johan de Cobham.
„ „ Staff'.	„ Roger de Beauchamp.
Le Sř de Latymer.	

Ibid. 3 Ric. II. A.D. 1379-80.—*Ibid.* p. 72-3.

Le Roi de Castille & de Leon Duc de Lancastre.

Le Conte de Cantebrugge.	Le S ^r de Latymer.
„ „ d'Arundell.	„ Cobham.
„ „ Warr'.	Mon ^{sr} Richard Stafford. (?)
„ „ Northumbr'.	Le S ^r Lestrangle de Knokin.
„ „ Buk' Conestable	„ de Bardolf.
„ „ d'Engleterre.	Mon ^{sr} Johan Montagu.
„ „ Staff'	„ Johan Knyvet.
„ „ Suff'	

N.B.—Peers named in a Com^mn to examine into the state of the king's household, &c.—(No. 15.) viz :—

Richard Arundell.	} comitibus.	William de Latymer.
Thome de Bello-campo.		Guydoni de Briene,
„ Warr'.		Joh ⁱ de Monte-Acuto.
Hugoni Staff'.		Banerettis.

Ibid. 4 Ric. II. A.D. 1380.—*Ibid.* p. 88.

Le Roi de Castille & de Leon Duc de Lancastre.

Le Cont de Cantebrugg.	Le S ^r De la Zouche.
„ d'Arundell.	„ de Bardolf.
„ de Warr.	„ Lestrangle de Knokin.
„ de Northumbr'	„ de Scales.
„ de Staff.	Mon ^{sr} Guy de Bryen.
„ de Salesbirs'.	„ Johan Montagu.
Mon ^{sr} Johan Knyvet.—(?)	

Ibid. 5 Ric. II., A.D. 1381.—*Ibid.* p. 99.

Le Roi de Castelle & de Leon Duc de Lancastre.

Le Cont de Kent mareschall	Le Cont Suff'.
d'Engl'.	Mon ^{sr} Johan Cobham.
Le Conte d'Arondell.	„ Richard le Scrop.
„ „ Warr'.	„ Guy de Bryen.
„ „ Salesbirs'.	Le S ^r la Souche.
„ „ Bukyngham conestable	„ Fitz-wauter.
d'Engleterre.	Mon ^{sr} Henry le Scrop
Le Cont de Staff'.	Le S ^r de Wilughby.

Peers named (p. 100) to consult together on certain matters :

Duc de Lancastre.	Le Sř Fitzwauter.
Le Cont de Buk'.	„ La Zouch de Haryng-
„ de Warr'.	worth.
„ d'Arondell.	„ de Wilughby.
„ de Suff.	„ Johan de Cobham.
„ de Northumbr'.	„ Richard le Scrop.
Le Sř de Nevill.	„ Guy de Bryan.
„ de Clifford.	(Baneretts.)

Ibid. to confer with the Commons.—(p. 100) viz :—

Duc de Lancastre.	Le Sř de Nevill.
Le Cont D'Arondell.	„ de Grey de Ruthyn.
„ Warr.	„ Fitz-Wauter.
„ Staff.	Monřr Richard Le Scrope.
„ Suff.	„ Guy de Brian.
„ Salesbirs'.	Et autres, &c.
Le Sř de la Zouche.	

Ibid. 5 Ric II., A.D. 1382.—Idem. p. 123.

Le Roi de Castill' & de Leon Duc de Lancastre.

Le Cont de Kent mareschall	Le Cont de Staff'
d'Engleterre.	Le Sř de Nevill.
„ „ Arondell.	Monřr Johan Cobham.
„ „ Salesbirs'.	„ Guy de Bryen.
„ „ Buckyngham Conesta-	Le Sř Fitz-Wauter.
ble d'Angleterre.	„ de Wilughby.

Ibid. 6 Ric. II., A.D. 1382.—Idem. p. 133.

Le Roi de Castill & de Leon Duc de Lancastre.

Le Cont de Kent marschal	Le Cont de Staff'.
d'Engleterre.	Le Sř de Nevill.
„ „ d'Arundell.	Monřr Johan Cobham.
„ „ Salesbirs,	„ Guy de Bryene.
„ „ Buk' Conestable	Le Sř Fitzwauter.
d'Angleterre.	„ de Wylughby.

N.B.—In a second parliament this year, (6 Ric. II.) the same names are contained, with the addition of the Earl of Cambridge, and Monřr Richard le Scrop; but that of Le Sř de Willughby is omitted.—(p. 145).

Ibid. 7 Ric. II., A. D. 1383.—*Ibid.* p. 151.

Le Roi de Castille & de Leon Duc de Lancastre.	
Le Cont de Kent, Mareschal	Le Contde Staff
d'Engleterre	„ „ Salesbirs
Le Cont d'Arrundell	Le Sř de Nevill
„ „ Northumbr'	Monřr Ric' le Scrop
„ „ Cantebrugg	„ Guy de Bryen
„ „ Buk', conestable	Le Sř Fitzwauter
d'Engleterre	Monřr Johan de Cobham de Kent

Ibid. 7 Ric. II., A. D. 1384.—*Ibid.* p. 167.

Le Cont d'Arondell	Le Sř le Zouche
„ „ Staff'	„ de Nevill
„ „ Oxenford	„ „ Cobham
„ „ Saresbirs'	Monřr Guy Brien

Ibid. 8 Ric. II. A.D. 1384.—*Ibid.* p. 185.

Le Roi de Castill & de Leon, Duc de Lancastre.	
Le Count de Kent, Mareschal	Le Count de Staff.
D'Engleterre.	„ de Salesbirs'.
Le Count d'Arundell.	Le Sř de Nevill.
„ Warr.	„ Fitz-Wauter.
„ Northumbr'.	Monřr Richard le Scrop.
„ Cantebrugg.	„ Guy de Brien.
„ Bukyngham conc-	„ Johan de Cobham de
stable D'Angleterre.	Kent.

Ibid. 9 Ric. II., A.D. 1385.—*Ibid.* p. 203-4.

Le Roi de Castill & de Leon, Duc de Lancaster.	
Le Count de Kent.	Le Duk de Gloucestre.
„ „ Arundell.	Le Sř de Nevill.
„ „ Warr'.	„ Fitz-Wauter.
„ „ Northumbr'.	Monřr Richard le Scrop.
„ „ Staff'.	„ Guy de Brien.
„ „ Saresbirs'.	„ Johan de Cobham de
Le Duk D'Everwyk.	Kent.

Ibid. 10 *Ric. II.*, A.D. 1386.—*Ibid.* p. 215, 16.

Le Duk D'Everwyk.	Le Count de Salesbirs'.
„ de Gloucest'.	Le Sř de Nevill.
Le Count de Kent.	Monřr Richard le Scrop.
„ d'Arundell.	„ Guy de Brien.
„ de Warr'.	„ Johan de Cobham de
„ de Northumbr'.	Kent.

Ibid. 11 *Ric. II.*, 1387.—*Ibid.* p. 228.

Le Duk D'Everwyk.	Le Count de Salesbirs'.
„ de Gloucestre.	„ de Devenshire.
Le Count de Derby.	Le Sř de Nevill.
„ de Kent.	Monřr Richard le Scrop.
„ d'Arundell.	„ Johan de Cobham de
„ de Warr'.	Kent.
„ de Northumbr'.	

N.B.—John Sř de Cobham, Messrs. Richard le Scrop, and John Deverose, with certain earls, appointed commissioners upon the impeachment of Robert de Veer, duke of Ireland, and others.—(p. 229).

Ibid. 13 *Ric. II.*, A. D. 1389.—*Ibid.* p. 257.

Le Duc de Lancastre	Le Count Mareschal
„ Gloucestre	„ de Devenshire
„ Everwyk	Le Sř de Wilughby
Le Count de Kent	„ Lovel
„ „ Arundell	Monřr Johan de Cobham
„ „ Warrewyk	de Kent.
„ „ Salesbirs'	Monřr Richard le Scrop
Le Count de Northumbr'	

Ibid. 14 *Ric. II.*, A. D. 1390.—*Ibid.* p. 277-8.

Le Duc de Guyen & de Lancastre	Le Count d'Ewewyk
„ Gloucestre	„ „ Kent

Le Count d'Arundell	Le Sř de Wylughby
„ „ Warrewyk	Monř Richard le Scrop
„ „ Saresbirs'	Le Sř de Lovell
„ „ Northumbr'	Monř Johan de Cobeham
„ „ Mareschall	de Kent

Ibid. 15 *Ric. II., A. D.* 1391.—*Ibid.* p. 284-5.

Le Duc de Guyen & de Lan-	Le Count de Northumbr'
castre	„ „ Kent
Le Duc D'Everwyk	„ „ Salesbirs'
Le Count de Derby	Le Sř de Wylughby
„ „ D'Arundell	Monř Richard le Scrop
„ „ Warrewyk	„ Johan Lovell

Ibid. 16 *Ric. II., A. D.* 1392-3.—*Ibid.* p. 300.

Le Duc de Guyen & de Lan-	Le Count de Saresbirs'
castre	Le Sř Grey de Ruthyn
Le Duc de Gloucestre	„ „ Willughby
„ d'Everwyk	Monř Richard le Scrop
Le Count D'Arundell	„ Philipp Spenser
„ Warrewyk	„ Johan Lovell
„ Kent	

Ibid. 17 *Ric. II., A. D.* 1393-4.—*Ibid.* p. 309.

Le Duc de Guyen & de Lancastre.	Le Count de Northumbr'.
„ „ Gloucestre.	Le Sř de Wilughby.
„ „ Everwyk.	„ Grey de Ruthyn.
Le Count d'Arrundell.	Monř Richard le Scrop.
„ „ Warr'.	„ Phillipp Spenser.
„ „ Kent.	Le Sř de Cobbeham

Ibid. 18 *Ric. II., A. D.* 1394-5.—*Ibid.* p. 329.

Le Duc de Gloucestre.	Le Sř de Wilughby.
Le Cont de Derby.	„ Zouche.
„ „ Arundel.	„ Cobbeham.
„ „ Warrewyk.	Monř Richard le Scrop
„ „ Saresbirs'	„ Philipp Spenser

Ibid. 20 Ric. II., A. D. 1397.—*Ibid.* p. 337.

Le Due de Guyen & de Lancastre	Le Counte Mareschal
„ „ Gloucestre	„ „ de Northumbr'
„ „ Everwyk	Le Sire de Nevill
Le Counte de Derby	Le Sire Despenser
„ „ Arundell	Le Sire de Grey de Ruthyn
„ „ Warr'	Monſr Richard le Scrop
„ „ Rotel'	„ Phillipp Spenser

Ibid. 21 Ric. II., A. D. 1397.—*Ibid.* p. 348.

Le Duc de Guyen & de Lancaster	Le Counte Mareschal
„ d'Everwyk	„ „ de Northumbr'
Le Counte de Derby	Le Sire de Nevill
„ „ Kent	„ „ Grey de Codenore
„ „ Huntyngdon	„ „ Lovel
„ „ Somersete	„ „ Le Despenser
„ „ Salesbirs'	„ „ Grey de Ruthyn
„ „ Rotel'	

Lords Temporal in the presence of the King, 21 Ric. II.—Ibid. p. 336.

Le Due de Guyen & de Lancastre	Le Sire de Camoys
„ Everwyk	„ Bourghchier
„ Hereford	„ Powys
„ Aumarle	„ Fitzwauter
„ Surr'	„ Roos
„ Excestre'	„ Haryngton
„ Norff	„ Burnell
Le Marquys de Dors'	„ Berklec
Le Cont d'Oxenford	„ Darcy
„ Staff	„ Wilughby
„ Northumbr'	„ Grey de Codnore
„ Saresbirs'	„ Grey de Ruthyn
„ Gloucestre'	„ Scales
„ Westmerl'	„ Seint Amand
„ Wircestre'	„ Furnival
„ Wiltes'	„ Ferrers

Le Sire de Seymour	William Beauchamp S ^r de Bergeveny
„ Lovel	Rauf de Cromwell
„ Bardolf	Rauf de Lomley
„ Morley	Phelipp le Despenser

Lords Temporal who were for the repeal of the Patent of the Duke of Hereford, in the parliament, 21 Ric. II.—*Ibid.* p. 372.

Edward Duke of York	Henry Earl of Northumberland
Edward Duke of Aumarle	Thomas Earl of Gloucester
John Duke of Exeter	Thomas Earl of Worcester
John Marques of Dorset	William Earl of Wiltshire
John Earl of Salisbury	

Lords temporal who were for the repeal of the patent of the duke of Norfolk, in the the parliament 21 Ric. II.—*Ibid.* p. 373.

Le Duc de Everwyk	Le Cont de Westmerland
„ d'Aumarle	„ Wircestre
„ d'Excestre	„ Wiltes—Tresorer
Le Markys de Dors'	„ Suff
Le Cont de Staff	Le Sire de Grey de Ruthyn
„ Sarum	„ Ferrers de Groby
„ Northumbr'	„ Lovel
„ Gloucestre	„ Camoys

Peers, accusers of treason against Thomas duke of Gloucestre, Richard earl of Arundel, Thomas earl of Warwyk, and Thomas Mortimer, in parliament 21 Ric. II.—(*Ibid.* p. 374,) viz. :

Edward earl of Rutland, Thomas earl of Kent, John earl of Huntyngdon, Thomas earl of Nottingham, John earl of Somerset, John earl of Salisbury, Thomas Sire Despenser, and William le Scrop, chamberlain.—(*Vide Ibid.* p. 377.)

Members of the king's council.—*Pat.* 1 Ric. II., pars. 1 m. 16.—*Ibid.* Appendix p. 386, No. 1.

Esmon' Count de la Marche, & Richard Conte D'Arundel, William Sire Latymer, & Sire John de Cobeham, (barons).—Roger de Beauchamp and Richard de Stafford, (banerets).—John Knyvet, Rauf de Ferreres, John Devereux, & Hugh de Segrave,—(bachilers.)

Witnesses to a Deed produced in the parliament 8 Ric. II. A.D. 1384, executed by Richard, Lord Lovel, of Carycastell, respecting a quit claim of certain lands to the Priory and Convent of Monte acuto.—(*Rot. Parl. v. 3. p. 192.*)

Nobili viro Dño Thomas	Dño Fulco filio Warini
Comite Lancastrie	„ Gerardo Salveyn
Dño Johē Comite Richemond	„ Wiffo Tuchet
„ Roberto de Holand	„ Johē Beek
„ Wiffo de Latymer	„ Wiffo Trussell
„ Fulcone Lestraunge	„ Johi de Kynerdese
„ Nicho de Segrave	„ Miche de Melden
„ Johē de Claveryng	

Names of the Peers in parliament, approving the acceptation of the crown by Hen. duke of Lancaster, &c.

Rot. Parl. Vol. 3., p. 427, A.D. 1399.—(1 Hen. IV.)

Le Prince

Duke.—York.

Earls of Arundel, Warwick, Stafford, Northumberland, Suffolk, Worcester.

Le Srs de Roos, Grey de Ruthyn, de Cherlton, Bardolf, Wilughby, Furnyvall, Ferrers, Beaumont, Berkeley, Fitz-Wautier, de Mauley, Scales, Morley, Burnell, Lovel, Camoys, Seymour, Crombwell, Cobham.

Monſr Henry Percy
Monſr Richard Scrop
Le Sř Fitz-Hugh
Le Sř de Bergeveny

Le Sř de Lomley
Le Baron de Greystok.
Le Baron de Hilton.

N.B.—The above named Nobles, with the archbishop of Canterbury and York, 13 bishops, and 7 abbots, approved the commital of the person of king Richard II. to safe custody, upon the question put by the earl of Northumberland for approbation.

Names of Peers present in parliament on the question of the attainders of Thomas Holland, earl of Kent; John Holland, earl of Huntingdon, &c., &c.

Rot. Parl. Vol. 3., p. 439, A.D. 1400-1.—(2 Hen. IV.)

Henry Prince of Wales
Edmond Duke of York
Edward Earl of Rutland
Thomas Earl of Arundel

John Earl of Somerset
Edmond Earl of Stafford
Henry Earl of Northumberland
Ralph Earl of Westmorland

Michael Earl of Suffolk.	John Sire de Beaumont
Richard Sire de Grey.	William Sire de Wilughby
Thomas Sire de Berkeley	Hugh Sire de Burnell
John Sire de Charleton	William Sire de Ferrers de Groby
Reynald Sire de Grey de Ruthyn	William Sire de Bergeveny
Thomas Sire de Camoys	John Sire de Lovell
Thomas Sire de Furnyvall	Robert Sire de Haryngton.
Robert Sire de Scales	Richard le Scrop

Triers of Petitions, 1 Hen. IV., A. D. 1399.—Rot. Parl. Vol. 3. p. 416.

Le Duc d'Everwyk	Le Sire de Roos
Le Cont de Warr'	„ Cobham
„ Northumbr'	„ Berkeleye
„ Westmerland	„ Wilughby

MEM.—Le record & prouces del renunciation du Roy Ric. II. & de L'acceptation de menne la renuntiation, inter cæteros Ric' le Scrop Archiep̃us Eboracen', Joñes Ep̃us Hereforden' Henricus Comes Northumb' & Radulphus Comes Westm̃landie Hugo Dñus de Burnell, Thomas Dñus de Berkeley, Prior Cantuarien', & Abbas Westmonasterii &c. venerunt ad presentiam Dñi Regis in Turri p̃dca Dñis de Roos, de Wiloghby, de Bergeveney & pluribus aliis tunc ibidem p̃sentibus &c. &c.

Triers of Petitions, 2 Hen. IV. A. D. 1400-1.—Ibid. p. 455.

Le Duc d'Everwyk	Le Sire de Roos
Le Cont de Northumbr'	„ Cobham
„ Warr'	„ Berkeley
„ Westmerland	„ Wilughby

Ibid. 4 Hen. IV. A.D. 1402.—Ibid. p. 486.

Le Cont de Northumbr'	Le Sire de Roos
„ Wircestre	„ Lovell
„ Somerset	„ Berkeley
„ Westmerland	„ Wilughby
Le S̃r de Bergeveny	

Ibid. 5 Hen. IV. A.D. 1403-4.—*Ibid.* p. 523.

Le Cont. de Somerset	Le Sire de Burnell
„ Westmerl'	„ Lovell
„ Arondell	„ Berkeley
„ Suff'	„ Wilughby

Members of the King's Council, 5 Hen. IV.—Ibid. p. 530.

Le Duc d'Everwyk	Le Gardien du Prive Seal
Le Cont de Somers'	Le Sñ de Berkeleye
„ Westmerl'	„ Wilughby
Le Sire de Roos Tresorer	„ Furnyvall
d'Engleterre	„ Lovell

Triers of Petitions, 6 Hen. IV., A. D. 1404.—Ibid. p. 545.

Le Cont de Westmerl'	Le Sire de Lovell
„ Arondell	„ Berkeleye
„ Warrewyk	„ Wylughby
Le Sire de Burnell	

Ibid. 7 & 8 Hen. IV., A. D. 1405-6.—*Ibid.* p. 567-8.

Le Cont de Warr'	Le Sire de Burnell
„ Westmerl'	„ Lovell
„ Somersete	„ Roos
„ Arundell	„ Berkeley

Peers present in the parliament 7 and 8 Hen. IV. (1406.)

Rot. Parl. Vol. 3., p. 376.

Besides certain bishops, abbots, viz:—

Edw. Duke of York	Thos. Earl of Arundel
John Earl of Somerset	Rich. Earl of Warwick
Edm. Earl of Kent	Michael Earl of Suffolk

Wm. Lord de Roos	John Lord Darcy
Rich. Lord de Grey de Codenore	John Lord Lovell
Henry Lord Beaumont.	Bartholomew Lord Bouchier
Regin. Lord Grey de Ruthyn	Gilbert Lord Talbot
Willm. Lord de Ferrers	Willm. Lord la Zouche
Thos. Lord Furnivall	Thomas Lord de Camoys
Willm. Lord Wylughby.	Richd. Lord Seymour.
Hugh Lord Burnell	Henry Fitz-Hugh.
Willm. Lord Clynton	Henry le Scrop de Masham
Thomas Lord Morley	

N.B.—The above witnesses to the crown on the event of the death of Hen. Prince of Wales, s.p.m., then to the second or third sons of king Henry in tail male, &c.; but not if Prince Henry should have any male issue.

The above witnesses to another instrument in parliament, (*Ibid.*) dated the same day in presenti parlamento apud Palatium Westm: 17 June, A.R. 7th.

The following earls and barons, witnesses in parliament to another instrument, in the present parliament, at Westminster, 22 Dec. A. R. 8 Hen. IV.—(*Rot. Parl. v. 3. p. 582-3.*

Edward duke of York	Hugh lord Burnell
John earl of Somerset	William lord Clynton
Edmund earl of Kent	Thomas lord de Morley
Thomas earl of Arundel	John lord Darcy
Richard earl of Warw'	John lord Lovell
Edward earl of Devon	Bartholomew lord Bouchier
Michael earl of Suffolk	Gilbert lord Talbot
Richard earl of Oxford	William lord la Zouch
Ralph earl of Westmoreland	Thomas lord Camoys
William lord de Roos	Richard lord Seymour
Richard lord Grey de Codenore	Henry Fitz-Hugh
Henry lord Beaumont	Henry le Scrop de Masham
Reginald lord Grey de Ruthyn	John de Welles
William lord de Ferrers	John Cobham
Thomas lord Furnivall	Peter de Malolacu
William lord Wylughby	John de Latymer
	Edward Charleton de Powys
	Mag' Thomas de la Warre

Thom' Berkeley de Berkeley	John Tochetti
Ralph de Crumbwell	Robert Ponynge
Ralph de Greistok	John de Haryngton, ^a and
William Beauchamp de Ber- gavenny	Richard le Straunge

Triers of Petitions, 9 Hen. IV., A.D. 1407.—Ibid p. 608-9.

Le Count de Warrewyk	Le Sire de Burnell
„ „ Westmorl'	„ Lovell
„ „ Somersete	„ Roos
„ „ Arundell	„ Berkeleye

Ibid 11 Hen IV., A.D. 1409-10.—Ibid p. 623.

Le Count de Warrewyk	Le Sire de Burnell
„ „ Westmerl'	Le Sire de Morley
„ „ Somers'	Le Sire de Roos
„ „ Arundell	„ Berkeley

Ibid 13 Hen. IV., A.D. 1411.—Ibid p. 648.

Le Count de Warrewyk	Le Sire de Burnell
„ „ Westmerl'	„ Morley.
„ „ Oxenford	„ Roos
„ „ Suff'	„ Berkeley

Ibid 1 Hen. V. A.D. 1413.—Ibid Vol. IV., p. 4.

Le Cont de Warrewyk	Le Sire de Burnell
„ „ Westmerl'	„ Ferrercys
„ „ Sarum	„ Roos
„ „ Suff'	„ Berkeleye

Ibid 2 Hen. V., A.D. 1414.—Ibid p. 35.

Le Duc de Clarence	Le Duc d'Everwyk
„ „ Bedeford	Le Count de la March
„ „ Gloucestr'	„ „ Warr'

^a He appears to be constantly summoned by the name of *Robert*; but his real name was *John*, as here mentioned in the Rolls of Parliament. His father Robert died the 7 Hen. IV.

Le Count de Dorsete	Le Sř de Morley
„ „ Westmerland	„ Powys
„ „ Saresbirs	„ Grey de Ruthyn
„ „ Mareschall	„ Lescrop
„ „ Suff'	„ Haryngton
Le Sř de Berkeleye	

Ibid 3 Hen. V. A.D. 1415.—Ibid p. 63.

Le Sire Grey de Ruthyn	Le Sire de Talbot
„ de Powys	„ Ponynges

Ibid 3 Hen. V., A.D. 1415.—Ibid p. 71.

Le Duc de Clarence	Le Count de Saresbirs
„ Bedeford	Le Sř Gray de Ruthyn
„ Gloucestre	„ de Berkeleye
Le Count de la March	„ Ponynges
„ „ Westmerland	

Ibid 4 Hen. V., A.D. 1416.—Ibid p. 95.

Le Duc de Clarence	Le Cont de Saresbirs'
„ „ Bedeford	Le Sire de Gray de Ruthyn
„ „ Gloucestre	„ Berkeley
Le Cont de la Marche	„ Ponynges
„ „ Dorsete	

Peers in parliament 4 Hen. V.—Ibid p. 96.

Le Duc de Clarence	Le Count de Westmerland
„ Bedeforde	Le Sř de Grey de Ruthyn
„ Gloucestre'	„ Bourcher
„ Excetre'	„ Haryngton
Le Count de la Marche	„ Clynton
„ „ Warr'	„ Camoys
„ „ Mareschall	„ Ponynges
„ „ Saresbirs	„ Fitz-Hugh
„ „ Northumbr'	

Triers of Petitions 5 Hen. V., A.D. 1417.—Ibid p. 107.

Le Duc d'Excetre	Le Sř de Gray de Ruthyn
Le Count de Northumberland	„ Ponynges
„ „ Westmerland	

Ibid 7 Hen. V., A.D. 1419.—*Ibid* p. 116.

Le Sire de Camoys	Le Sire de Ponynges
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Peers in Parliament, Ibid p. 118.

Le Count de Westmoreland.

Le Sire de Grey de Ruthyn	Le Sire de Clynton
„ Ferreres de Groby	„ Ponynges
„ Camoys	„ Botreaux

Triers of Petitions 8 Hen. V., A.D. 1420.—*Ibid* p. 123.

Le Sire de Gray de Ruthyn	Le Sire de Ponynges
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Ibid 9 Hen. V., A.D. 1420.—*Ibid* p. 129.

Le Duc de Gloucestre	Le S ^r de Grey de Ruthyn
Le Count de la Marche	„ Ponynges

Ibid 9 Hen. V., A.D. 1421.—*Ibid* p. 150-1.

Le S ^r de Gray de Ruthyn	Le Sire de Clynton
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Triers of Petitions 1 Hen. VI., A.D. 1422.—*Ibid* p. 170.

Le Duc d'Excetre'	Le Sire de Crumbewell
Le Count de Warwyk	„ Ponynges

Peers in Parliament nominated to be of the king's council.—*Ibid* p. 175.

Le Duc de Gloucestre	Le Count de Westmerl'
„ Excetre	Le Sire Fitz-Hugh
Le Count de la March	Mon ^s r Rauf Crumwell
„ de Warrewyk	„ Wauter Hungerford
„ Mareshall	„ John Tiptoft
„ de Northumbr'	„ Wauter de Beauchamp

Triers of Petitions 2 Hen. VI. A.D. 1423.—*Ibid* p. 198.

Le Count de Warrewyk	Le Sire de Grey	Le Sire de Crumwell
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Peers of the King's Council, Ibid.—p. 201.

Le Duc de Gloucestre	Le Duc D'Excetre
Le Chaunceller	Le Count de March
Le Tresorer	„ Warrewyk
Le Gardein du Privee Seal	„ Mareschall

Le Count de Northumbr'	Le Sire de Bourghchier
„ Westmerland	„ Scrop
Le Sire de Crumwell	Monſr Walter Hungerford
„ Fitz-Hugh	„ John Tiptoft

Triers of Petitions 3 Hen. VI. A.D. 1425.—Ibid. p. 261.

Le Duc de Gloucestre	Le Sire de Crumwell
„ Excestre'	„ Bourghchier
Le Count de Warrewyk	„ Scrope

Ibid. 4 Hen. VI. A.D. 1425.—p. 295-6.

Le Duc de Bedeford	Le Sř de Scrop
„ Excestr'	Le Sire de Bourchier
Le Count de Northumbr'	„ Ferrers de Groby
Le Sř de Crumwell	

Ibid. 6 Hen. VI. A.D. 1427.—Ibid. p. 316-17.

Le Duc de Gloucestre	Le Sire Bourchier
Le Count de Huntyngdon	„ de Tiptoft
„ Stafford	„ Crumwell

Nomina Dominorum Subscribentium manibus suis de potestate Protectoris &c. in eodem parlamento 6 Hen. VI. A.D. 1427.—*Ibid. p. 327.*

Johannes Dux Norff'	Johannes l'Escrop
Johannes Comes Huntyndon	Radulfus de Cromwell
Humfridus Comes Stafford	Walterus Hungerford, (The- saurarius Angliæ)
Thomas Comes Sarum	Johannes de Tiptoft
Jacobus de Audeley	Robertus de Ponyngeſ
Lodowicus de Bourghchier	
Reginaldus le Warr'	

Triers of Petitions 8 Hen. VI. A.D. 1429.—Ibid. p. 335.

Le Duc de Gloucestre	Le Sire de Cromwell
„ Norff'	„ Roos
Le Count de Warrewyk	„ le Scrop

Nomina Dominorum Subscribentium, &c. in eodem Parlamento 8 Hen. VI.—*Ibid. p. 344.*

Humfridus Dux Gloucestr'	Ricardus Comes Warr'
Johannes Dux Norff'	Humfridus Comes Staff

Lodowicus Robessart
Radulphus Cromwell
Johannes le Scrop

Walterus Hungerford, (The-
saurarius Angliæ)
Johannes Tiptoft

Triers of Petitions 9 Hen. VI. A.D. 1430-1.—Ibid. p. 368.

Monſr John Tiptoft Le Sire le Scrop Le Sire de Ponyns

Peers of the King's Council,—Ibid. p. 374.

Richard Counte de Warr'
John Count de Huntyngdon
Wauter Sire de Hungerford,
(Tresorer D'Engleterre)

Humfrey Count de Stafford
Rauf Sire de Cromwell
John Sire L'Escrop
Johan Sire de Tiptoft

Triers of Petitions 10 Hen. VI., A.D. 1432.—Ibid. p. 388.

Le Duk de Gloucestr'
" Norff'
Le Count de Huntyngdon
" Stafford
" Oxenford

Le Count de Suffolk
Le Sire de Beaumont
" Hungerford
" Ponyns

Ibid 11 Hen. VI., A.D. 1433.—Ibid p. 419.

Le Duc de Bedford
" Gloucestre
" d'Everwyk
Le Count de Warrwyk
" " Stafford
" " Suffolk

Le Count de Salesbury
" " Northumbr'
Le Sir de Cromwell.
" Hungreford
" Lovell
" Tiptoft.

Peers in Parliament 11 and 12 Hen. VI., A.D., 1433.—Ibid p. 422.

Johannes Dux Bedford
Humfridus Dux Gloucestr'
Ricardus Dux Eborum.
Johannes Dux Norff infra ætatem
Ricardus Comes Warr'
Johannes Comes Huntyngdon
Humfridus Comes Stafford
Ricardus Comes Sarum
Henricus Comes Northumbr'

Johannes Comes Oxon'
Willielmus Comes Suff'
Edmundus Comes Moriton
Comes Devon infra ætatem
de Beaumont Chivaler
Willielmus de Ferrariis de Groby
Chivaler
Willielmus le Zouch Chivaler
Thomas de Morley Chivaler

Radulphus Cromwell Thesaurarius	William de Lovell Chivaler
Anglie	Walterus Hungerford Chivaler
Jacobus de Berkeley Chivaler	Johannes de Tiptoft Chivaler
Henricus de Grey de Codenore	Johannes Cornwayll de Faunhope
Chivaler	Chivaler
Henricus le Bouchier Chivaler	Johannes le Scrop de Masham Chiv'r
Johannes de Latymer Chivaler	promisit in Camera sua pro-
Robertus de Ponynges Chivaler	pria quia infirmus in manus
Thomas de Dacre Chivaler	Cancellar' quinto die Decem-
Johannes de Welles Chivaler	bris
de Fauconberge Chivaler	

Triers of Petitions 14 *Hen. VI., A.D. 1435.—Ibid p. 482.*

Le Duc de Gloucestr'	Le Count de Northumbr'
„ Everwyk	Le Sir de Tiptoft.
Le Count de Huntyngdon	„ Faunhope
„ „ Warrewyk	Le Sire de Ponynges
„ „ Oxenford	

Ibid. 15 *Hen VI., A.D. 1436.—Ibid p. 496.*

Le Duk de Gloucestr'	Le Sire de Tiptoft
Le Count de Stafford	„ Scrop
„ „ Warrewyk	„ Ponynges
„ „ Devonshire	

Ibid 18 *Hen. VI., A.D. 1439.—Ibid Vol. 5, p. 4.*

Le Duc de Gloucestr'	Le Count de Suffolk
Le Count de Northumbr'	Lc Sř de Berkeley
Lc Sř de Beaumont	„ Scroop
„ Audeley	„ Faunhope

Ibid 20 *Hen. VI., A.D. 1441.—bid p. 36.*

Le Duc de Gloucestr'	Le Sř Gray de Ruthyn
Le Count de Huntyngdon	„ Scrop de Bolton
„ „ Devenshire	„ Hungerford
„ „ Northumbr'	„ Faunhope
„ „ Suff'	„ Dudley
„ „ Stafford	„ Morley
„ „ Dorset.	„ Scroop de Masham

Ibid 23 *Hen. VI., A. D.* 1444.—*Ibid* p. 66.

Le Duc de Glouc'	Le Count de Saresbirs
„ Norff'	Le Sire Grey de Ruthyn
„ Excestre	„ „ Dudley
Le Marques de Dorset	„ „ Fauconberge
Le Count d'Arundel	„ „ Cromwell
„ Oxenford	„ „ Latymer

Ibid 25 *Hen. VI., A. D.* 1447.—*Ibid* p. 129.

Le Duke d'Everwyk	Le Counte de Northumbr'
„ Excestre	Le Viscount Beaumont
„ Bokyngham	Le Sire de Scrope de Masham
Le Marques de Dorset	„ Dudley
Le Marques de Suff'	„ Cromwell
Le Counte d'Arundel	„ Sudley
„ de Salesbirs	

Ibid 27 *Hen. VI., A. D.* 1449.—*Ibid* p. 141.

Le Duke de Bukyngham	Le Sř de Cromwell
„ Suff'	„ Molyns
Le Count d'Arundel	„ Grey
„ Devonshire	„ Dudley
„ Oxenford	„ Sudeley
Le Viscount Bourghchier	

Ibid. 28 *Hen., VI., A.D.* 1449.—*Ibid.* p. 171

Le Duc de Bukingham	Le Sř de Lisle
„ Suff'	„ Fitzhugh
Le Count d'Arundel	„ Sudeley
„ Salisbury	„ Cromwell
„ Wilteshire	„ Say de Sele
„ Worcestr'	

Ibid. 28 *Hen. VI., A. D.,* 1450.—*Ibid.* p. 182.

The duke of Suffolk having been impeached of certain high crimes and misdemeanours, was sent for to appear before the king and the lords spiritual and temporal the

13th of March, the 28 Hen. VI.; and on Tuesday, the 17th day of the same month, he made his second appearance in parliament, where, besides divers spiritual lords, the following temporal were present, viz.:

Duke of Buckingham	Barons—Lisle
Earls of Warrewyk	„ Ferrers de Groby
„ Devonshire	„ Cobham
„ Oxenford	„ Dudley
„ Northumberland	„ Sudeley
„ Wiltshire	„ Beauchamp
„ Worcestre	„ Say
Viscounts—Beamond	„ Scint Amond
„ Bourgehier	„ Hastynges
Barons—Roos	„ Moleyns
„ Grey de Ruthyn	„ Stourton
„ Wellys	„ Ryvers
„ Scales	„ Vessy
„ Cromwell	

Ibid. 29 Hen. VI. A.D. 1450.—*Ibid.* p. 210.

Duke of Buckingham	Viscount de Bourgehier
„ Somerset	Le Sire de Cromwell
Earl of Arundel	„ Ferrers de Groby
„ Salisbury	„ Welles
„ Devonshire	„ Roos
„ Wiltshire	„ Lisle
Viscount de Beamond	

Ibid. 31 & 32 Hen. VI., A. D. 1453.—*Ibid.* p. 227.

Duke of Norfolk	Le Sire de Grey de Ruthyn
Earl of Warwick	„ Graystock
„ Devon	„ Fitz Hugh
„ Oxenford	„ Cromwell
„ Salisbury	„ Duddleley
„ Salop	„ Seint Amond
„ Wurcestr'	

Ibid. 32 Hen. VI., A. D. 1454.—*Ibid.* p. 240.

Lords assigned to attend the king at Windsor, on certain matters:—the earls of Warw', Oxon', Salop; viscounts Beaumont & Bouchier; lords Fauconberge, Duddeley, & Stourton. 23 March, 1454.

Peers in Parliament who subscribed the Creation of Prince Edward, son of Hen. VI. to be Prince of Wales, and Earl of Chester, 32 Hen. VI. A.D. 1454.—*Rot. Parl* v. 5. p. 249.

R. Eborum	{ Duces.	Wiltshire—Comes.	
H. Buk'		Beaumont	{ Vicecomites.
Jasper Pembr'	{ Comites.	Bourghier	
Warrewyk		Fauconbergh	{ Milites.
Oxford		Willughby	
Salisbury		Stourton	

Triers of Petitions 33 Hen. VI., A.D. 1455.—*Ibid.* p. 278-9.

Duke of York	Earl of Wircestre
„ Buk'	Le Viscount Bouchier
Earl of Pembroke	Le S ^r de Faukenbrigge
„ Warrew'	„ Cromwell
„ Salisbury	„ Bonvyle
„ Salop	„ Berners

Lords in Parliament 33 Hen VI. appointed to inquire into the King's Household, &c., viz.:

Pro Hospitio Regis.—Earl of Worcester, Vicecomes Beaumont, Dominus de Cromwell & de Sudeley.

Pro Cales' & Berewico.—Duke of Buckingham, Earls of Warwick, Sarum, & Salop, Dominus de Fauconberge, & de Stourton.

Pro Custodiâ Maris.—Comes Oxon, Dominus de Scales, Dominus de Fitzwareyn, Dominus de Bonevyle.

Pro Auro et Argento, &c.—Comes Wygorn

Lords, who, the 24th of July, 33 Hen. VI., in Parliament, swore to be loyal to the king.—*Ibid.* p. 282-3.

Dux Eborum	Comes Oxon
„ Buk'	„ Salop
Comes Pembroch'	„ Wygorn
„ Warr'	Vicecomes de Beaumont
„ Sarum	„ „ Bourghier

Dominus de Gray de Ruthyn	Dominus de Clynton
„ „ de Faukenberge	„ „ Say
„ „ de Scales	„ „ Fitzwareyn
„ „ de Cromwell	„ „ Bonvyle
„ „ Ferrers de Groby	„ „ Ruggemond Gray
„ „ de Sudeley	„ „ Berners
„ „ de Beauchamp	„ „ Clifford
„ „ de Scrop de Bolton	„ „ Powes
„ „ de Stourton	

N. B. The archbishop of Cant. & York, eleven bishops, eighteen abbots, and the prior of Coventry and St. John of Jerus. in Angl., included in the said oath or protestation of allegiance.

Triers of Petitions 38 Hen. VI., A. D. 1459.—*Ibid.* p. 345.

Duke de Buk'	Le Sř de Lovell
Le Count de Salop	„ Dacre de Gilleslond
„ Wiltes'	„ Dudley
Le Sř de Clyfford	„ Beauchamp
„ Fitz-Hugh	„ Berners

Oath of Allegiance taken by the lords, 11 December, 38 Hen. VI. in the Parliament Chamber at Coventry.

Duc Exon'	Dominus Grey de Ruthyn	Dominus Beauchamp
„ Norff'	„ Grey	„ Rugemond Grey
„ Buk'	„ Wellys	„ Bonvyle
Comes Pembrochic	„ Greystok	„ Scroope de Masham
„ Arundell	„ Fitz-Hugh	„ Stourton
„ Northumb'	„ Dacre	„ Egremond
„ Salop	„ Dacre de Gilleslond	„ Berners
„ Wiltes'	„ Scales	„ Willughby
Viccomes Beaumont	„ Bergavenny	„ Stanley
„ Bouchier	„ Dudley	„ Nevill
Dominus Clyfford	„ Sudeley	

The 2 archbishops, 16 bishops, 14 abbots, the prior of Coventry & St. John of Jerusalem.

Triers of Petitions 39 Hen. VI. A.D. 1460.—*Ibid.* p. 373.

Le Count de Warwyk	Le Sř Fitz-Waryn
„ Saresburg	„ de Scrop
Le Viscount de Bourghier	„ Bonevyle
Le Sř Grey de Ruthyn	„ Berners
„ de Dacre	„ Rugemond Grey

Anno Quinto Hen. VI.—Ex. Bib. Cott. Titus E. V.—Ibid. p. 407.

Lords of the Kynges Counsaile

The Duc of Bedford	The Erle of Salesbury
„ Gloucestre	„ Northumberland
„ Excestre	The Lord Cromwelle
„ Norfolk	„ Scrop
The Erle of Huntyngdon	„ Bourghier
„ Warwyk	„ Hungerforde
„ Stafford	„ Typtot

Ibid. p. 409.—Peers in Council at Reding, 24 Nov. 5 Hen. VI.

Johan (<i>i. e.</i> Duke of Bedford)	Cromewell
H. Gloucestre & J. Norff'	Scrope
J. Huntyngdon	Hungerford
H. Stafford	L. Bouchier
T. Salisbury	Tiptot
H. Percy	

Ex Bibl. Cott. Titus E. V., No. 38.—Ibid 450.

Peers in the Council Chamber at Westm : 30 Mar., 32 Hen. VI.

R. York, H. Bukingham, R. Warrewyk, J. Worcestre, Devon, R. Salisbury, Beaumonte, Bourghier, W. Fauconberge, Scales, J. Duddeley, W. Ferys, Ebergavenny.

Ex. Bibl. Cott. Titus, E. VI., 34 Hen. VI.—Ibid. p. 453.

Peers in the Star Chamber at Westm : 10 Nov. 34 Hen. VI.

H. Bukingham, R. Warrewyk, J. Worcestre, R. Salisbury, Bourghier, Arundel, W. Fauconberge, W. Scrop, Grey Rychemont, Fitzwaryn, Stourton.

At Westm : 11 Dec. 34 Hen. VI.—R. York, H. Bukingham, R. Warrewyk, R. Salisbury, Arundel, J. Worcestre, Oxenford, Fauconberge, Bourghier, Fitzwaryn, Stourton, Berners.

Triers of Petitions 1 Edw. VI., A. D. 1461.—Ibid. p. 461.

Le Duc, Le ———, Le Count de Warr, Le Count de Worcestre, Le Count ———, Le Count de Essex, Le Count de Kent, Le Sñ de Audeley, de Grey Ruthyn, de Grey-stock, de Clynton, de Scrop, de Stourton, de Hastynges, de Suthwyk, Le Sñ Fitz-Hugh, Le Sñ Scrop de Upsale, Le Sñ de Cobham, Le Sñ de Dacre.

Ibid. 3 *Edw. IV., A. D.* 1463.—*Ibid.* p. 496.

Le Duc de Suff'	Le S ^r de Wenlok
Le Count de Warewice	„ Suthwyk
„ Essex	„ Willughby
„ Worcestre'	„ Montegue
Le S ^r de Berners	„ Herberd
„ Audeley	„ Dacre
„ Hastynges	

Ibid. 7 & 8 *Edw. IV., A. D.* 1467-8.—*Ibid.* p. 571.

Le Duc de Clarence	Le S ^r de Audeley
Le Count de Arundel	„ Hastynges
„ Worcestre	„ Scales
„ Essex	„ Dudeley
„ Ryvers	„ Dacres
Le S ^r de Berners	

Ibid. 12 & 13 *Edw. IV., A. D.* 1472-3.—*Vol.* 6, p. 3.

Le Duc de Clarence	Le S ^r de Hastynges
Le Count d'Arundel	„ Mountjoye
„ „ Sherosbery	„ Strainge
„ „ Wiltshire	„ Dacre
Le S ^r de Stourton	

Ibid. 17 *Edw. IV., A.D.* 1477.—*Ibid.* p. 167.

Le Duc de Gloucestre	Le S ^r de Stanley
„ „ Bukyngham	„ „ Hastynges
Le Counte d'Arundel	„ „ Dynham
„ „ Essex	„ „ Beauchamp
„ „ Rivers	„ „ Ferrers

Ibid. 22 *Edw. IV., A. D.* 1482.—*Ibid.* p. 196.

Le Duc de Buk'	Le S ^r Hastynges
Le Counte de Huntyngdon	„ de Dacre
Le Marques de Dorset	„ „ Dudley
Le Viscounte Lovell	„ „ Fitz Hugh
„ Berkeley	„ „ Scrope
Le S ^r Stanley	

Rot. Claus. 11. Edw. IV. m. i., Dors. Rot. Parl. Vol. 6, p. 234.

Names of those who, in the parliament chamber at Westminster, 3 July, the 11 Edw. IV., made protestation of oath, and subscribed eorum manib' propriis, the recognition of Edward Prince of Wales, eldest son of king Edward, viz:—

G. Clarence	J. Duddeley	— Duras
R. Gloucestre	J. Audeley	J. Fenys
— Norff'	— Dacre	R. Beauchamp
H. Bukynghame	E. Bergevenny	Sir Robert Fenys
J. Suffolk	J. Straunge	— Bourghier
— Arundel	J. Scrop	T. Bourghier
H. Essex	W. Ferrers	W. Par.
E. Kent	— Berners	J. Pilkington
— Rivières	— Hastynges	W. Brandon
J. Wiltshire	— Montejoye	Wilm Courtenay
E. Arundel Maltravers	— Dynham	Thomas Molyneux
A. Grey	— Howard	Rauff Asheton

N.B.—The two archbishops ; eight bishops, and the prior of St. John.

Triers of Petitions 1 Ric. III. A.D. 1483.—Ibid. p. 237.

Le Duc de Norfolk	Le S ^r de Grey
Le Count de Kent	„ Audeley
„ Surr'	„ Powyk
Le Viscount Lovell	

Ibid 1 Hen. VII., A. D. 1485.—Ibid. p. 268.

Le Duc de Bedford	Le Count de Devon
„ „ Suffolk	Le S ^r de Bergevenny
Le Count d'Arundell	„ „ Cobham
„ „ Oxenford	„ „ Beauchamp
„ „ Nottingham	„ „ Fitzwauter
„ „ Derby	„ „ Dudley

Names of lords temporal who in the parliament chamber at Westminster made oath to observe certain articles then and there propounded to them.—1 Hen. VII., A.D. 1485, *Ibid p. 288.*

Duces—Bedford & Suff'	Comites—Salop
Comites—Lincoln	Nottingham
Arundel	Pryvers
Derby	Devon

Comes Wilts	Barones Fitz-Walter
Viscount de Beaumont	Grey de Wilton
Barones Grey	Beauchamp
Dudley	Hastings
Bergeveny	

Triers of Petitions 3 Hen. VII., A.D. 1487.—Ibid. p. 385.

Le Duc de Bedford	Le S ^r de Audeley
„ Suffolk	„ Bergevenny
Le Count d'Oxford	„ Gray
„ de Nottingham	Le Sire Fitzwauter
„ de Ryvers	„ Straunge

Ibid. 4 Hen. VII., A. D. 1488.—Ibid. p. 410.

Le Counte d'Arundel	Le Sire de Bergevenny
„ d'Oxford	„ d'Audeley
„ de Derby	„ d'Ormond
„ de Notyngham	Le S ^r Dynham
„ de Wiltshire	„ De la Warre
Le Viscounte Lisle	Le Sire Dudley

Ibid. 7 Hen. VII., A. D. 1491.—Ibid. p. 441.

Dux Bed'	Dñus Dynham Miles
Marchio Berkeley	Wiffus Huse Miles
Comes Wiltes'	Dñus Scrop de Bolton
Viceoomes Wellys	„ Audeley

Ibid. 11 Hen. VII. A.D. 1495.—Ibid. p. 458.

Comes Oxon	Comes Suff'	Dñus Dudley
„ Derby'	„ Essex	„ Daubeney
„ Surr'	Vicecomes Wellys	„ Bergevenny
„ Arundel	Dñus de Ormond	„ Straunge
„ Kanc'	„ de la Warre	„ Audeley

Ibid 12 Hen. VII., A.D. 1496.—Ibid p. 509-10.

Le Counte de Oxford	Le S ^r Beauchamp
„ „ Derby	„ Daubeney
„ „ Salop	„ Broke
„ „ Essex	„ Dynham
„ „ Kent	„ Hastynges
Le Viscount Wellys	

Ibid 19 *Hen. VII.*, *A.D.* 1503.—*Ibid.* *p.* 521.

Le Duc de Bukyngham	Le S ^r Hastings
Le Counte de Shrewesbury	„ Herberd
„ „ Surrey	„ Burgavenney
„ „ Arundel	„ Dacre de Dacre
„ „ Northumberland	„ Mountjoye
Le S ^r Daubeney	

N.B.—The preceding proofs of barons sitting in parliament have been extracted from the printed Rolls of Parliament for the purpose of affording a facility of reference from the account given in the following pages of those eminent persons who were created by writ of summons, and to distinguish the periods of their presence and exercise of the peerage rights in their Lords' House of parliamentary legislation.

THE NAMES OF PERSONS MENTIONED BY DUGDALE TO HAVE
BEEN SUMMONED TO PARLIAMENT.

ABERGAVERNNEY SIVE BERGAVERNNEY.

THIS barony is of a very peculiar nature, embracing the two attributes of barony by tenure, and by writ of summons.

The castle of Abergavenny (or rather Bergavenny as then called) was built by Hamelin de Balun, first lord of the territory of Over-Went, or Wentland, in Wales, after the Norman conquest. Not having any issue, he gave his said territory of Over-Went, in which the castle of Bergavenny was situate, to his nephew Brian, son of his sister Lucie, who was countess of the Isle. From this Brian (Fitz-Count) the lands of Over-Went, and castle of Bergavenny, came to Walter of Gloucester, whose son Milo was created earl of Hereford, and having had five sons, who all died s.p.; their three sisters became their heirs and divided the inheritance. Of these, Berta the second sister, married William de Broase, and had the lordship of Brecknock, with the lands of Over-Went, and the castle and seigniory of Bergavenny. But Brecknock being the largest seigniory, the title of Bergavenny was never used by him or his descendants, they writing themselves lords of Brecknock only. The male line of Braose terminated in three daughters and co-heirs, whereof, Eve, the second, married William de Cantilupe, and had in the division of the inheritance, the lands of Over-Went, and castle, and seigniory of Bergavenny.

It was in the person of this William de Cantilupe that the style of Bergavenny is said to have been first used. He, according to some authorities,* having been summoned to parliament by king Hen. III.; but there is not any record to sustain that assertion.

* Collins's
Parl. Preced.
p. 76.

George de Cantilupe, only son of Sir William, dying s.p., his two sisters became his co-heirs: of these Joane married Henry de Hastings, who thereby in the division of his estates, obtained the castle and territory of Bergavenny.

John de Hastings, his son and heir, had summons to parliament from the 22 Edw. I. to the 6 Edw. II. In the 29 Edw. I., by the designation of *John de Hastings Dominus de Bergavenny*, he was one of those barons who in the parliament at Lincoln, subscribed the famous letter to the Pope,—thereby intimating that *Bergavenny* was the name of his barony, though *Hastings* was his surname.

Lawrence Hastings, his grandson, was created earl of Pembroke, by king Edw. III. ; so that the title of baron Hastings, or Bergavenny was merged in that higher dignity. John his son, the second earl, having a great dislike to Reginald lord Grey, his cousin, and to Hugh Hastings his next heir male, made a feofment the 43 Edw. III., whereby, (according to Dugdale,) in case he should die without issue of his body, he settled the town and castle of Pembroke upon the king, his heirs, and successors, and the castle of Bergavenny, and other lands in England and Wales, upon his mother's sister's son, William de Beauchamp.

John, third earl of Pembroke, only child of the said Earl John, dying s.p. the 13 Rich. II., the title of earl of Pembroke ceased, and the castle and barony of Bergavenny passed by virtue of the feofment to William de Beauchamp, who being so seised thereof, was in the 16 of Rich. II. summoned to parliament by the style of *William Beauchamp de Bergavenny*.

Richard Beauchamp, his only son and heir, was never summoned to parliament by the same description, being shortly after he had acquired his majority, created earl of Worcester, in 1420, and dying in 1451, s.p.m. his earldom became extinct, but the barony created by the summons to parliament of his father, the 16 Rich. II., remained in the heir general of his body. He married Isabel, daughter and heir of Thomas, lord Le Despenser, by whom he had an only daughter and heiress, Elizabeth, who married Edward Neville, a younger son of Ralph Neville, first earl of Westmorland : this lady was therefore heiress of the two baronies of Le Despenser, and of Beauchamp de Bergavenny.— But it does not appear that her husband Edward Neville, was immediately summoned to parliament, *jure uxoris*, as the usual practice then was, to either barony ; on the contrary, William de Beauchamp, grandfather of the said lady Elizabeth, is said by Dugdale, to have settled the castle of Bergavenny, &c., upon Joan, his wife, and the heirs male of the body of the said William, with remainder, for default of such issue, to the heirs male of Thomas, earl of Warwick, his brother ; which heirs male failing, the said Edward Neville, and Elizabeth, his wife, upon their humble remonstrance, obtained in the 27th of Hen. VI. livery thereof, and thereupon, according to Dugdale,* (before cited,) was styled lord Bergavenny, and the 29th of Hen. VI. was summoned to parliament by that title.

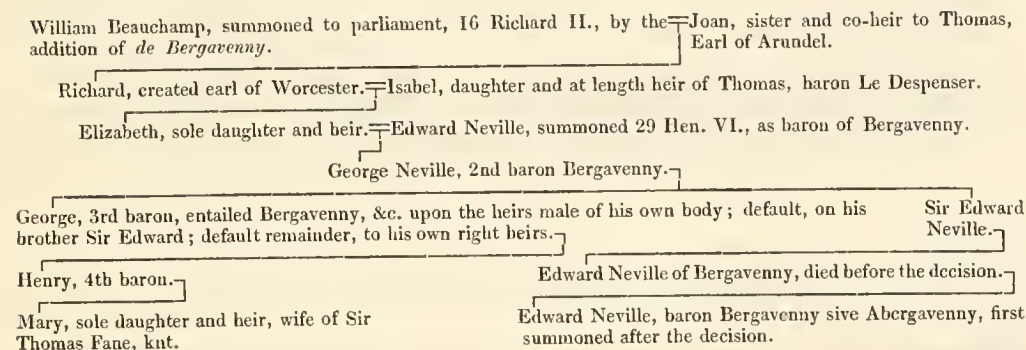
* Dugd. Bar.
Vol. I. p. 309.

Henry, great grandson of the said Edward lord Bergavenny, deceasing in 1586, left one sole daughter and heiress Mary, who married Sir Thomas Fane, knight, and thereupon claimed the barony of Bergavenny against Edward Neville, son of Edward, a younger brother of the before mentioned Henry, on whom the castle of Bergavenny had been settled both by testament and act of parliament. This claim after a long contest, and very learned arguments, was not determined until the 25th of May, 1 Jac., when by judgment of the house of lords, and order of the commissioners for executing the office

of earl Marshall, the title of Bergavenny was decreed for the heir male, and the king gave the barony of Le Despenser to the heir female (the claimant Mary) and her heirs.

Here it must be observed that the barony of Bergavenny, if created by writ, could not claim precedency further back than either the 29 of Hen. VI., or 16 Ric. II.; but if it was a barony by prescription or tenure, every person who had been in possession of the castle, being reputed *ratione possessionis*, a baron, then its precedence would be from Hamelin de Balun, the first builder and Norman baron after the conquest. Had this not been so considered by the claimant, it appears rather singular she should have sought this barony in preference to that of Le Despenser, which was of more antiquity, as dateable from its first writ of summons. Again, if the summons to William de Beauchamp was merely personal, and the additament of *de Bergavenny* put to distinguish him from other barons of the same name, he was only *baron Beauchamp*; but if the additament was meant as a creation of *baron Bergavenny*, then it clearly referred to the possession of that castle, as a barony by prescription, appertaining to its possessors, similarly as to the possessor of Arundel castle. But the decision left the question undecided, and partook of the character of a compromise, but not a declaration of the law; the singular point is, that the claimant did not obtain what she sought; but got that which she never applied for, and in fact was a forfeited title.*

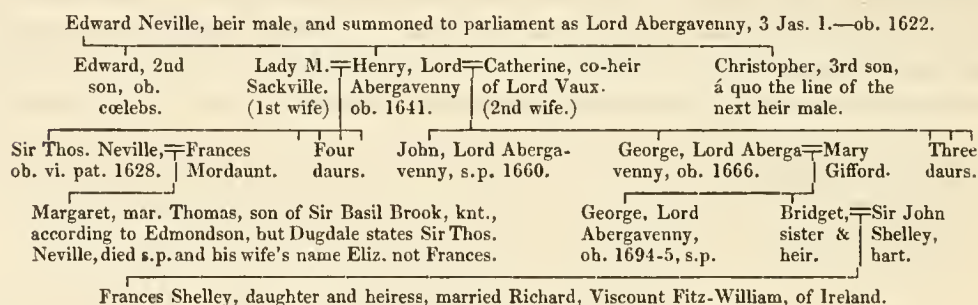
* Vide Le Despenser.



But notwithstanding this compromise, by which both parties were ennobled, there remains an important point for consideration, as to what effect it had with respect to the barony of Bergavenny, (or Abergavenny as now called,) either to establish it as a barony by writ; or as a barony by virtue of the possession of the castle, and founded upon prescription. If the latter, the precedence would be before that of Le Despenser, and therefore, the placing it below that barony was inconsistent. If it was a barony first recognised by writ in the person of John de Hastings, denominated Dominus de Bergavenny, the 29 Edw. I., then neither Beauchamp, nor Neville, who took through Beauchamp, were descended from Hastings, and could not have any pretension of descent in

the character of heirship. Under this view it would seem, that the writ of summons to Edward Neville, after the compromise, was the creation of a new barony, which by virtue of the writ, was rendered a peerage descendable to the heirs general of the body of the said Edward Neville, although the castle of Bergavenny still remained under the entail to heirs male. The writ of summons could not have the retrospective effect of placing him next to Despenser, unless he had been entitled to a barony, of which some ancestor to whom he was heir, had been called to parliament with that precedence; which not being the case, the highest date he could refer back to, was that of William de Beauchamp, temp. Ric. II. and to that he was not heir, for lady Mary Fane was the heiress general; and moreover, the precedence given to him was contrary to that statute of 31 Hen. VIII. as referred to by the lords in protesting, to the precedence given in the creation by Charles I. to William, the first earl of Banbury.* If the barony then be deemed created by writ, the succession, or right of succession, would be vested according to the under table of descent:—

* Journ.Dom.
Proc.



ALDITHLEY SIVE AUDLEY, OF HELEIGH.—(25 EDW. I.)

THIS barony of ancient date, and of great fame in its early lords, being an existing title, of which an elaborate account may be found in the various editions of Collins's peerage, and the peerages of the day, a lengthened account of it is here unnecessary to be entered into, and as such it may suffice to say, that

Nicholas de Aldithley, or Audley, was first summoned to parliament the 25 Edw. I. But Sir Harris Nicolas, in his Peerage Synopsis says, it is doubtful if that writ can be considered as a regular summons to parliament: yet, whatever the opinion of that learned gentleman may be, it appears that a parliament was holden in that year, in which the *great charter, and charter of the forests was confirmed*.† He died in 1299, and was succeeded by his son,

† Vide Appen-
dix.

Thomas, second lord Audley, who died shortly after in 1307, under age, and without issue, (according to Dugdale) leaving Eve his wife surviving (who was daughter and eventually heir of John lord Clavering) and Nicholas, his brother and heir, which

Nicholas, third lord Audley, had summons to parliament from the 6 to the 12 Edw. II., and died the year following, (1319)^a leaving Joane his wife surviving, (who was widow of Henry Lacy, earl of Lincoln, and sister and co-heir of William Martin, baron of Kameys) and James his son and heir,^b which

James, fourth lord Audley, was then not fully three years of age, who afterwards became one of the most eminent noblemen of his day, and was particularly famous for his martial exploits at the ever memorable battle of Poitiers, having had summons to parliament from the 4 Edw. III. to the 10 of Ric. II. He died the same year, being then one of the knights of the illustrious order of the Garter. He married 1st Joan, daughter of Roger Mortimer, earl of March, by whom he had Nicholas his son and heir, and two daughters, viz. Margaret and Joan. To his second wife he married Isabel, one of the daughters and co-heirs of William Malbank, by whom he had a daughter also named Margaret, who married Fulk Fitz-Warine.

Nicholas, fifth lord Audley, survived his father only a short time. He married Elizabeth, daughter of Alice de Beaumont, countess of Bogan, (Buchan), and having been summoned to parliament from the 11 to the 14 Ric. II., died shortly after (1392) without issue, leaving John Tuchet, grandson of Joan his eldest sister, and Margaret the wife of Sir Roger Hilary his other sister, his co-heirs of the whole blood. The said

John Tuchet was afterwards summoned to parliament from the 7 to the 9 Hen. IV. as "Johanni Tuchet," and died the following year, leaving James Tuchet his son and heir, which

James Tuchet had summons to parliament from the 8 Hen. V. to the 33 Hen. VI. as "Jacobo de Audley," by which description, John his son and heir was summoned from the 1 of Edw. IV. to the 1 of Ric. III. He died in 1491, and was succeeded by his son and heir,

James Tuchet who had summons from the 7 to the 12 of Hen. VII., but was beheaded and attainted in 1497.

John his son and heir was restored in blood, and to his honours in 1512, and was afterwards summoned to parliament from the 6 of Hen. VIII., to the 1st of Queen Eliz.: he died circ. 1559, leaving

^a Dugdale in his *Baronage*, p. 748. says he died the 10 Edw. II., but his name appears in his *Lists of Summons*, in the above said 12 Edw. II.

^b On a brass plate fixed on an altar tomb in the nave of Audley church, co. Staff., is the following inscription: Icy gist Mons. Thomas D'Audeley Chivalier fra Mons. James D'Audeley, Seign'r de Heleigh de Rouge Chastell q'i moruit Le xxiv. die Januari L'An. de gra' Mo cclxxxv.—qui vit: de q'i alme Dieu p' sa pite eit merci.—AMEN.

Above the inscription, on a distinct brass plate, is the figure of the knight in armour.

George his son and heir, who was never summoned, nor Henry his son and heir, who died circ. 1564, leaving George his son and heir, which

George had summons to parliament from the 8 of 2 Eliz. to the 12 of Jas. I., and was advanced to the title of earl of Castlehaven in Ireland, and died in 1617; his son and heir

Mervin Tuchet, second earl of Castlehaven, was attainted and beheaded in 1631, having been tried by his peers, and found guilty of divers infamous charges preferred against him, on which occasion his honours were forfeited; but his son and heir

James Tuchet was created baron Audley, and earl of Castlehaven, in Ireland, and restored to the barony forfeited by his father, with remainder to the heirs of his body; remainder to Martin Tuchet his brother, and the heirs of his body; remainder to the daughters of his father, and their heirs, by act of parliament, anno 1678, deceasing s.p. in 1684, the said honours devolved upon

Martin Tuchet his brother and heir, who died in 1686, leaving

James his son and heir, baron Audley, in England, and earl of Castlehaven, in Ireland; he died in 1700, and was succeeded by his son and heir

James, who deceased in 1740, leaving two sons, whereof James the eldest was his successor, but dying in 1769, s.p.: his brother,

John Talbot Tuchet became his heir, and was the last of the Tuchet name, baron Audley, and earl of Castlehaven, and departing this life in 1777, s.p., the earldom of Castlehaven became extinct; but the barony of Audley descended to his nephew George Thicknesse, son of his sister Elizabeth Tuchet, by Philip Thicknesse, Esq., her husband, governor of Languard Fort; which

George Thicknesse, on succeeding to the barony of Audley, assumed the name of Tuchet, and dying in 1818, left

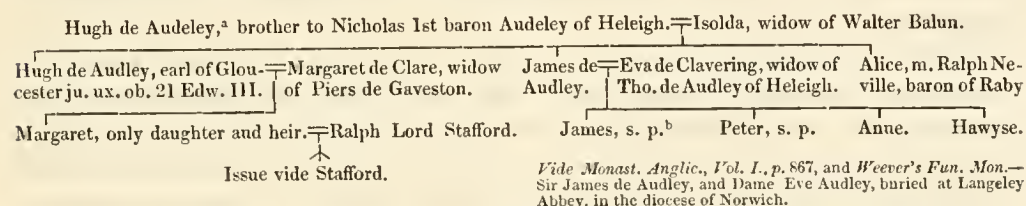
George John Thicknesse Tuchet, his son and heir, the next baron, father of the present lord Audley.

JOHN DE AUDELE.—(6 Edw. III.)

DUGDALE, in his Lists of Summons, mentions a John de Audele to have had summons to parliament the 6 Edw. III.; and on looking into the writ, this name is therein recited, as well as that of James de Audele; but who this John was, Dugdale, in his historical account of the family, has not made the least mention;—yet the name of this John de Audele is twice repeated in the writs of summons of the 6 Edw. III.; the first to a parliament at Westminster, the second to a parliament at York.

AUDLEY, AND EARL OF GLOUCESTER, (11 EDW. II).

HUGH DE AUDLEY, supposed by Dugdale to be a younger brother to Nicholas, the second of his name, Baron Audley (of Heleigh) was summoned to parliament the 14 Edw. II., as Hugh de Audley, Senr., but his son Hugh had summons in his life time, the 11 Edw. II., as Hugh de Audley, Junr., and had further summons from the 20 Edw. II. to the 10 Edw. III. Having married Margaret, one of the daughters and co-heirs of Gilbert de Clare, earl of Gloucester (relict of Piers de Gavestone), he was created earl of Gloucester in 1337, and by that title afterwards summoned to parliament till his death in 1347, when not having any male issue, Margaret his only daughter became his heir.^a She married Ralph Lord Stafford, and the barony of Audley under the writ of the 11 Edw. II., as also that of the 14 Edw. II. to Hugh de Audley, Senr., merged in the Stafford family, and became forfeited with all the Stafford honours on the attainder of Edward Duke of Buckingham, temp. Hen. VIII.



^a In an old MS. penes, auct. intituled lord Brudenell's Book (B) *de cartis de Bogenh'm*, in parochia de Horton in Comit de Staff., this Hugh is made son of Adam de Aldithley, brother to Henry, grandfather to the first Nicholas.

^b James, son of James de Audley, the custody of the castle of Gloucester.—*Esch. 45 Edw. III., No. 1.*—*Weever*, p. 323.

ANGUS.—(25 EDW. I.)

This was an earldom created by writ of summons to parliament, the 25 Edward I., in the person of Gilbert de Umfraville, and though the name of a Scotch title, yet the said Gilbert, and his successors, were all summoned to parliament as English earls, and named as such with the other earls of the realm.

Gilbert de Umfraville who married Matildis, the daughter and heiress of Malcolm, earl of Angus, in Scotland, was one of the most illustrious among the English barons, as recited by Dugdale,* citing Matthew Paris, and was lord of Herbottil, Prudhoe, &c., in the county of Northumberland. He was married in 1243,† and deceased shortly after in 1245, leaving the countess Matildis (or Maud) surviving, and Gilbert his son and heir of very tender years. This

* Bar. Vol. 1.
p. 504.
† Sutherl.
Add. Case.

^a The earl of Gloucester with Margaret his countess, and their daughter Margaret, as also her husband the lord Stafford, were interred at Tunbridge in Kent.—(*Weever*, p. 323.)

* Cart. 51.
Hen. III.

† Douglas
Vol. I., p. 65.

Gilbert de Umfraville on attaining his majority became a person of very considerable note, and in the 51 of Hen. III. obtained a grant for a weekly market, and a yearly fair at Overton in the county of Rutland, in which grant he is styled earl of Angus,* which was long before he was summoned to parliament by that title; for he was first summoned in the 22 and 23 of Edw. I. only as a baron, by the name of Gilbert de Umfraville. However in the 25 of Edw. I., he had summons by the title of earl of Angus, when the English lawyers somewhat startled, at first refused in their briefs and law instruments to acknowledge him as earl by reason Angus was not within the realm of England, until he had openly produced in the face of the court, the king's writ whereby he was summoned by that title, and created an earl in the British peerage. From this time he continued to be summoned till his death, the 1 Edw. II. He married the third daughter of Alexander Cumin, earl of Buchan,† and had three sons, viz. Gilbert the eldest, who died in his lifetime, 31 Edw. I., s.p.; Robert his successor, and Thomas who was a servant in the court of Edw. I., and to whom he gave lands in Redesdale.

Robert de Umfraville, second earl of Angus, was by that title regularly summoned to parliament during his lifetime, and by the rolls of parliament appears to have been present therein. He died about 1325 or 6. He was twice married; his first wife was Lucia (or Lucy) daughter of Philip de Kyme, a great baron in the county of Lincoln, eventually sister and heiress of her brother William de Kyme, by which heiress he had a son Gilbert his successor, and a daughter Elizabeth who married Gilbert de Burdon, (or Barradon).

His second wife was Eleanora, who brought him two sons, whereof Robert the eldest died s.p., Thomas the second son, and a daughter named by Dugdale‡ Anora, wife of Stephen, son and heir of Sir Richard Waleys.

Gilbert de Umfraville, 3rd earl of Angus, succeeded his father, and had summons to Parliament by that title from the 5 Edw. III. to the 4 Ric. II., being occasionally a trier of petitions.§ He married Maud, sister of Anthony de Lucy, and aunt and heir of Joan, daughter of the said Anthony de Lucy; which Maud after his death remarried Henry Percy, 1st earl of Northumberland: by her he had a son Robert who predeceased him, and thus not having any surviving issue, Alianore, his niece, became his heir, who was daughter of Elizabeth, his sister, wife of Gilbert Burdon, (or Barroden,) and then wife of Henry Talboys. But she, though his heir of the whole blood, was only heiress to the barony of Kyme, as descended from her grandmother Lucia de Kyme, but was not heiress to the earldom of Angus; for Gilbert, the last earl, had, as before mentioned, two brothers of the half blood, namely, Sir Robert de Umfraville, the eldest, who died in his lifetime, s.p., and Thomas, which

|| Dugd. Bar.
Vol. II. p. 508.

Thomas de Umfraville, as his next heir male, in the 4 of Ric. II.,|| doing his homage

had livery of the castle of Herbotill, and the manor of Otterburne, which by virtue of a special entail descended to him by the death of earl Gilbert, s.p., but he never had summons to parliament either as earl of Angus, or as a baron, though it must be evident he was as much entitled thereto as his father, or any of his predecessors, and was *jure legitimo*, heir thereto.* But he did not long survive his half brother, deceasing 10 Ric.

* Hastings
Nuper. Cor.
Dom. Proc.

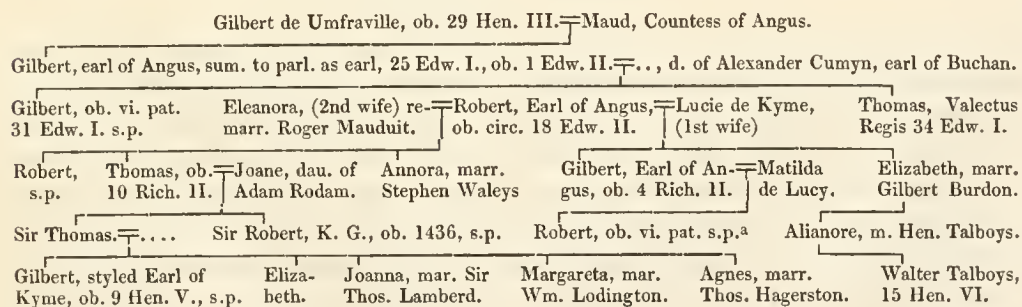
II. By Joane, daughter of Adam de Rodam, he had two sons, both knights, viz. Sir Thomas, and Sir Robert a knight of the garter, temp. Hen. IV., who died in 1436.

Sir Thomas de Umfraville had issue a son Gilbert; which Gilbert has been styled earl of Kyme, though on what authority there is no record to show: but it is probable it was an assumption from the tenure of the ancient baronial castle of Kyme, similarly as the Albini's, earls of Sussex called themselves earls of Arundel, from possessing that castle, though there never was any creation of that title.

This Gilbert, so styled earl of Kyme, was slain at the battle of Baugy, in France, with the duke of Clarence and others of the English nobility, s.p., leaving his four sisters his co-heirs to the earldom of Angus, and barony of Umfraville, as is set forth in the table of descent.

It must here be observed that his uncle, Sir Robert Umfraville, was his next heir male, by virtue of a fine levied the 1 Ric. II., between Gilbert, then earl of Angus, plaintiff, and John de Habrough Clerk, deforciant: whereby, for want of issue of him, the said earl the castle and manor of Herbotill, and manner of Otterburne, were to devolve to Sir Robert Umfraville, knight, and to the heirs male of his body—remainder to Thomas, brother of the said Robert, and the heirs male of his body—default thereof to Thomas Umframville son of Joane, daughter of Adam Rodam and the heirs male of his body—with remainder to Robert, son of the said Joane, and the heirs male of his body—and for default of such issue, to the right heirs of the said earl. This Sir Robert dying s. p., the aforesaid castle, &c. came by reason of the said entail, to Walter Talboys, grandson of Alianore, daughter of Elizabeth sister to him the said earl the settler; which Walter, the 15 Hen. VI., had livery accordingly.†

† Rot. Fin.
15 Hen. VI.
m. 13.



Vincent in his Corrections of Ralph Brooke, says that Sir Thomas Umfraville, father of Gilbert, had also five daughters, married to Elmedon, Rither, Lambert, Lodington, and Haggerston.

^a According to Douglas, he married Margaret, daughter of Henry, Lord Percy, who, after his death, married William de Ferrers.

AP ADAM.—(25 EDW. I.)

JOHN AP ADAM having married Elizabeth daughter and heir of John de Gourney, baron of Beverston, in com. Gloucester, had livery of her lands the 19 Edw. I.; and the 25 of the same reign had summons to parliament; as also in the 27 and in the various other parliaments to the 3 of Edw. II. In the 29 of Edw. I. he was one of the barons, who, in the parliament at Lincoln, subscribed the letter to the Pope,—on which occasion he was designated—“John Ap Adam dominus de Beverston.” He was also one of the barons summoned to attend the coronation of Edw. the II., shortly after when, he died circ. 3 Edw. II., leaving Thomas Ap Adam his son and heir, then in minority; which

Thomas Ap Adam never had the like summons, but is said to have sold the castle and manor of Beverston to Thomas de Berkeley and Margaret his wife, and their heirs, whereby, having dispossessed himself of his baronial estate, he was no longer considered of baronial dignity: yet if the writs of summons of his father, his being present in the parliament at Lincoln, and being summoned also to attend the coronation of Edw. the II., be deemed to have created, and recognised in him a baronial peerage descendable in his blood, the heir general who may be representative of him at the present day, must be intitled thereto, notwithstanding the alienation of Beverston, and the length of time which has since elapsed.

The posterity of this Thomas continued long after his decease, and subsequently dropped the *Ap* from their name.

§ Vol. ii., p. 5.

Fosbrooke in his history of Gloucestershire,* says John Ap Adam had lands in Redwiche and Northwiche, part of which descended to John Ap Adam, who died the 3 of Hen. VI., leaving his sister and heir Elizabeth mother of John Huntley.

ARCHDEKNE.—(14 EDW. II.)

THOMAS LE ARCHDEKNE, in the 35 Edw. I., was of Shepestall in the county of Cornwall, and the 6 Edw. II., governor of the castle of Tintaget. He had summons to parliament from the 14 to 18 Edw. II., both inclusive; and by Elizabeth, or Alice his wife, daughter to Thomas de la Roche, a baron of parliament,* had issue John his son and heir, which

* Vide De la Roche.

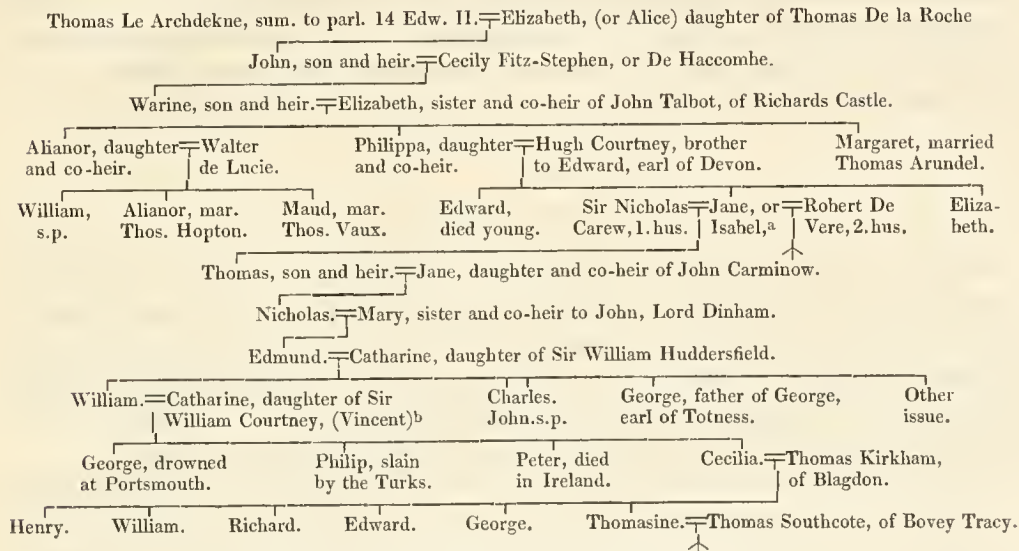
John le Archdekne was in the wars of France, temp. Edw. III., in the 16th of whose reign he had summons to a great council to be holden at Westminster, his name being included amongst those of the earls and other barons then convened; but he never after had the like summons. He married Cecily daughter and heir to Sir Jordan Fitz-Stephen, of Haccombe, knight, according to Dugdale; but Ralph Brooke says† that the families of Fitz-Stephen and Haccombe were several, and bore different arms; and that

† Discov. of Errors, p. 9.

Fitz-Stephen was always settled at Norton, in com. Devon; but that there was one Stephen de Haccombe who there dwelt: by the said Cecily John le Archdekne had issue a son,

Warine le Archdekne. He never had summons to parliament. His wife was Elizabeth, one of the sisters and co-heirs of John Talbot, of Richards Castle,* by which Elizabeth he had three daughters his co-heirs, viz.: Alianor, who was wife of Walter de Lucie, and had issue; Philippa, who married Hugh Courtenay; and Margaret, who wedded Thomas Arundel.

* Vide Talbot of R. C.



a Visitation co Devon, per Henry St. George, 1620, but called Joan by Vincent.

b Called Johanna, daughter of Hugh Courtney, by Henry St. George.

ARGENTINE.—(25 EDW. I.)

REGINALD DE ARGENTINE was summoned to Parliament the 25 Edw. I., but never after, nor any of his descendants. His ancestor Reginald de Argentine is said to have married the daughter and heir of Fitz Tek, and thereby to have acquired the manor of Wymondale in Cambridgeshire, holden in capite by grand serjeanty, viz., "to serve the king on his coronation day with a silver cup." By the heir general this manor came in marriage from the Argentines to William Alington, temp. Edw. IV., by virtue whereof Giles lord Alington, the descendant of the said William, claimed at the coronation of king Jas. II. to serve his majesty with a silver cup; which claim was admitted, and the service

performed by Hildebrand Alington his uncle, by reason of the minority of the said lord, on which occasion the silver cup and cover, allowed, were curiously enchased, and gilt of the weight of thirty-two ounces.

The present earl Howe is believed to be one of the heirs general of the two families of Argentine, and Alington, being descended from Johanna, daughter of William the first lord Alington, by his second wife; who by his third wife had also two daughters, viz: Diana, married to Sir George Warburton, bart., of Arley in Cheshire; and Catharine, who married Sir Nathaniel Napier, bart., of Middlemersh Hall, in the county of Dorset—co-heirs with their sister Johanna, who was wife of Scroope Viscount Howe. Sir George Warburton left an only daughter, Diana, his heir, who was second wife to Sir Richard Grosvenor, bart., who performed the service of the manor of Wymondele, at the coronation of king George II., and died s.p., by the said Diana Warburton.

ASTLEY.—(23 EDW. I.)

ANDREAS or Andrew de Astley, great grandson of Thomas de Astley,^a married Maud, one of the sisters and co-heirs of Roger de Camville of Creek, and Grandaughter of Richard de Camville; founder of Combe Abbey, had summons to parliament from the 23 to the 34 of Edw. I., at least his name appears in the writs to that year inclusive, though Dugdale in his Baronage states that he died the 29 Edw. I., (citing the Escheat Roll of that year),* and that he left Nicholas his son and heir æt. twenty-four, which

* Esch. 29
Edw. I., n. 55.

Nicholas has his name mentioned in the writ of summons to a parliament to be holden at London the 30 Edw. I., and again in another writ of the same year for another parliament to be holden at London, in which last writ the name of Andreas or Andrew, his father, is also mentioned; but from that year till the 2 Edw. II. his name is not contained in any of the writs excepting those of the 2 and 3 Edw. II.: when he died is uncertain, some accounts stating that he was taken prisoner, and others that he was slain in the battle of Bannockburn. Not having any issue he was succeeded by his nephew,

Thomas de Astley, son of his younger brother Giles. This Thomas was not immediately upon his succession, summoned to parliament, his first writ being the 16 Edw. III. He was again summoned the 22 and 23 Edw. III., but never afterwards, though he did not die till about the 33rd of that reign.

William his son and heir was never summoned, and died temp. Hen. VI., leaving an only daughter and heiress Joane, married first to Thomas Raleigh, of Farnborough in

^a Dugdale says that the name was taken from the manor of Astley in com. Warw., which was holden by his ancestor, of William, then Earl of Warwick, (temp. Hen. II.) by the service of *laying hands on the earl's stirrup when he did get upon or alight from horseback.*

com. Warwick, by whom she had not any issue, and second to Reginald lord Grey of Ruthyn, to whom she was second wife, and had issue by him a son Edward, who was afterwards summoned to parliament as lord Grey of Groby, with which barony that of Astley (if it may be deemed one, there not being any proof of a sitting) became coalesced, and descended to Henry Grey, duke of Suffolk, who was attainted in 1554, and all his honours forfeited, as under the article of Grey of Groby is hereafter shown.

From Thomas, father of Andrew first lord Astley, by Edith his second wife, daughter of Peter Constable of Melton in the county of Norfolk, is descended Sir Jacob Astley, bart., of Melton Constable, who has recently made good his claim to the ancient barony of Hastings, and been summoned to parliament accordingly.

ATON.—(18 EDW. II.)

WILLIAM DE ATON in the 24 Edw. I., had summons to attend a great council to be holden at Newcastle-upon-Tyne; but this does not appear to have been to a parliament. His son.

Gilbert de Aton, in the 9 of Edw. II., was found to be heir of William de Vesci senr., viz.: Son of William, brother of Gilbert, who died s.p., son of William, son of Margery, daughter and heir of Warine de Vesci, brother of Eustace, father of William, Father of John and William, (called William de Vesci, of Kildare,) who died without legitimate issue. This Gilbert de Aton had summons to parliament the 18 Edw. II., and the 1 and 16 Edw. III.

William de Aton his son, according to Dugdale, had the like summons the 44 Edw. III., but no more. By Isabel his wife, daughter of Henry lord Percy, he had a son William, who died in his lifetime; and three daughters who became his co-heirs: of these, Anastasia married Edward de St. John; Catherine, Sir Ralph de Eure; and Elizabeth first William Playz, second John Coniers; the representatives of which co-heirs were in 1828, Edward lord de Clifford, James Brownlow, William, Gascoigne, the marquess of Salisbury, John Gower, esq., and Isabella countess dowager of Egmont, descended from Anastasia the eldest daughter; Sir William Strickland, bart., from Catherine; and Thomas Stonor, esq., from Elizabeth.

The writ of summons whereby he was first summoned, appears like others to have, been personal, and as such, it is questionable whether it was in consequence of being heir to de Vesci, or as a creation of baron de Aton. Alnwick, the old barony of de Vesci, had been alienated when Aton became heir to the family.

ATHOL.—(15 Edw. II.)

* Rymer's
Foed. Vol. 1.
428.—D.

THIS is the name of a Scotch earldom, which having been acquired by the marriage of David de Hastings, an Englishman, with Fernelith countess of Athol, third daughter and at length sole heiress of earl Henry, the said David had the title,* but died in the crusade, under Lewis the IX., at Tunis, anno, 1269.^a They had issue one daughter,

Auda Countess of Athol, married to John de Strathbogie, who in her right became eighth earl of Athol^b; and died about the year 1283-4, having had issue a son David, which

† Dug. Bar.
Vol. II., p. 95.

David de Strathbogie having married Isabel one of the co-heiresses of Richard de Chilham, of Chilham Castle, in Kent, by Roese de Dover, his wife,† acquired great possessions in England, and died not long after his father, leaving Isabel his wife surviving, (who re-married Alexander de Baliol, brother to John king of Scotland,) and John his son and heir; which

John de Strathbogie (10 earl of Athol in Scotland) having sworn fealty to Edw. I., nevertheless espoused the cause of Robert de Bruce, and assisted at his coronation at Scone. Hereby he brought on him the great wrath of king Edward, and having been taken prisoner, he was condemned to death at Westminster, the 7 Nov. 1306, and executed the same day, upon a gallows thirty feet higher than ordinary. His earldom was forfeited, and given to Ralph de Monthermer, then bearing the title of earl of Gloucester; but Monthermer, in consideration of five thousand marks, afterwards resigned the same in favour of David, son and heir of earl John, who obtained the king's confirmation to him and his heirs.

David earl of Athol, thus reinstated, was first summoned to the English parliament the 15 Edw. II., as earl of Athol, and his name inserted among the earls, before all the barons. As a Scotch earl he could have no right to sit in the parliament of England; and in Scotland all his honours and estates had been forfeited by Bruce. Under this view of the case, it must be considered that the writ of summons created him an English earl, and the earldom descendable like all titles so created. From the 15 to the 20 Edw. II., his name appears in all the writs of summons, with the distinction of earl of Athol. He married Joane daughter of John Cumyn, of Badenach, (killed by Bruce at Dumfries, in 1306,) sister and co-heir of John Cumyn, of Badenach, cousin and one of the heirs

^a Fernelith Countess of Athol made a grant to the abbey of Cupar, “pro salute animæ suæ et animæ domini de Hastings quondam viri mei, comitis Atholiæ.”—(*Sutherland Add. Case v. 9.*)

^b Duncan 6th earl of Fife, his Grandfather having obtained the lands of Strathbogie from King William, the Lyon of Scotland, settled them on his 3rd son David, who assumed his name therefrom, and was father of the said John de Strathbogie.—(*Ibid.*)

of Adomare de Valence, earl of Pembroke. He died 20 Edw. II., and was succeeded by his son and heir

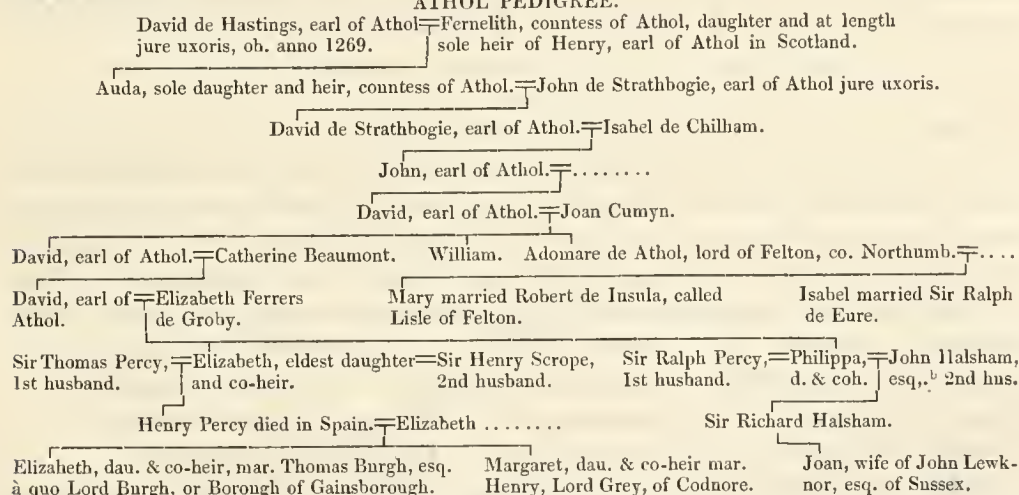
David, second earl of Athol, of the English creation, who by that title was summoned to the parliaments of the 4, 5, 6, 7, and 8 of Edw. III.; and was slain in Scotland the following year, 30 Nov. 1335, in the twenty-eighth year of his age. He married Catherine,^a daughter of Henry lord Beaumont, and earl of Buchan, by which lady, who survived him, he left

David, third earl of Athol his only son and heir, then three years of age; which David was summoned to parliament as earl of Athol, in the 35, 39, 42, and 43 of Edw. III., in which year he deceased æt. forty-three. His countess was Elizabeth, daughter of Henry lord Ferrers, of Groby,^b by whom he left issue two daughter his co-heirs, then in minority, viz.: Elizabeth, æt. sixteen, who married, first, Sir Thomas Percy, and secondly, Sir John Scrope; and Philippa, æt. . . . , who married, first, Sir Ralph Percy, and secondly, John Halsham, esq.: in the co-heirs general of which daughters, the earldom of Athol is presumed to be vested, and now in abeyance.

Sir William Dugdale states,* that David de Strathbogie was summoned as a baron, but in all the writs where the name is mentioned, it is constantly David de Strathbogie earl of Athol.

* Dug. Bar. vol. ii.

ATHOL PEDIGREE.



^a Vincent says she married a third husband Robert de Thorley.—(*Vincent's Corrections of R. Brook*).

^b Dugdale calls him a knight, the tombstone inscription at West Greested shews the contrary, viz.:—*Hic jacet Philippa quondam uxor Johannis Halshao, Armigeri, etiam filiarum et hæredum Davidis de Strabolgy nuper comitis de Athol qui obiit primo die Novembris A.D. 1395.*

^a This lady surviving her husband is named in the writ of summons, 35 Edw. III., as countess of Athol, being then required with the other ladies therein summoned to furnish her quota for the affairs of Ireland. (Dugdale's Sum. 35 Edw. III.).

^b She was buried at Ashford in Kent with this inscription; "Icy giste Elizabeth Counte d' Athols le file Seigneur de Ferrers que dieu assoit que mourust le xxii. jour d'October L'an de grace 1375".—(*Weaver's Fun. Monum.*).

BADLESMERE.—(3 Edw. II.)

GUNCELINE DE BADLESMERE was chief-justice of Chester, temp. Edw. I. He was seised of the manor of Badlesmere, holden of the king in capite, as of the barony of Crevequer. He married Margaret, daughter and heir to Thomas Fitz-Bernard, (or Barnard,) the baron.*

* Vide vol. ii.

Bartholomew Badlesmere, his son, was summoned to parliament from the 3 to the 14 of Edw. II.; but being in the insurrection of Thomas earl of Lancaster, he was taken prisoner, and afterwards executed, anno 1321. He married Margaret daughter and co-heir of Thomas, third son of Thomas, second son of Richard de Clare earl of Gloucester, by whom he had four daughters, and a son Giles, which

Giles de Badlesmere had summons to parliament from the 9 to the 12 of Edw. III., when he died s.p., leaving his four sisters his co-heirs, viz: Margery, married to William de Roos, æt. thirty-two; Maud, æt. twenty-eight, first married to Robert Fitz-Pain, s.p., and secondly to John de Vere, earl of Oxford; Elizabeth, æt. twenty-five, married, first, to Edmund Mortimer de Wigmore, and after to William de Bohun, earl of Northampton; and Margaret, æt. twenty-three, wife of John de Tiptoft; which co-heirs divided the great inheritance. As to the barony, it is questionable whether it was not forfeited in the person of Bartholomew, the father of Giles de Badlesmere; and if so, the co-heirs could not derive any baronial interest from the summons to parliament of their brother.

† Vide
Latimer.

The co-heirs of Margery the eldest sister, are represented in chief, by the present lord de Roos, the earl of Essex, and Sir — Hunloke, bart. The representatives of Maud the second sister, are very numerous, as derived from the three sisters and co-heirs of John de Vere, earl of Oxford, who died s.p., temp Hen. VIII.† The line of Elizabeth the third sister merged in the crown, on the accession of Edw. IV., through the heir of Edmund Mortimer: and the issue of Margaret, the fourth sister, wife of Tiptoft, was a son Robert, who left three daughters his co-heirs, viz.: Margaret, who married Roger lord Scrope of Bolton, whose heir lately was Charles Jones, esq., a captain in the first dragoon guards, but now deceased; Milicent, the second daughter, married Stephen le Scrope; whose heiress married Mr. Powlett Thompson, who, in 1821, took, the name of Scrope; Elizabeth, the youngest daughter, married Philip le Despenser, and is represented by the present baroness Wentworth, and Ann Isabella, lady Byron. The title of Badlesmere was for a long time used by the earls of Oxford, but there never was any determination of the abeyance, if it ever was a barony descendable to heirs general.

BARDOLF.—(27 Edw. I.)

DOWN BARDOLF married Beatrix, daughter and heir of William de Warren, and with

her acquired the barony of Wirmegay in Norfolk, of which (in the 29 Edw. I.) his great-grandson, Hugh Bardolf, is denominated *dominus de Wirmegay* in the letter subscribed by the barons in the parliament at Lincoln, addressed to the pope. The said

Hugh Bardolf was first summoned the 22 Edw. I., and afterwards from the 27 to the 30 Edw. I.

John Bardolf, grandson of Hugh, and the third baron by writ, had summons from the 9 to the 37 Edw. III., and in the latter writs with the addition of *Wirmegay*. He married Isabel or Elizabeth, daughter and heir of Roger d'Amorie, a great baron, and also baron of Armoy, in Ireland.^a William, his son, and Thomas his grandson, were also similarly summoned during their lives, and with the additament of *de Wirmegay*. But this last baron Thomas being attainted and executed, his honours became forfeited. He had issue two daughters, whereof Anne married, first, Sir William Clifford, and secondly Sir Reginald Cobham, and Joan was the wife of Sir William Phelip, K.G., who, temp. Hen. VI. was styled* lord Bardolf, but he never was summoned to parliament, nor is there any record of his creation by letters patent, nor any act of the reversal of the attainder of Thomas, lord Bardolf. The heirs-general of these two daughters would be intitled to the barony, if this impediment did not interfere. Sir William Phelip had issue a daughter and heir, Elizabeth, wife of John, Viscount Beaumont, whose heirs-general are, the lately allowed baron Beaumont, and the earl of Abingdon.

* Vide Cat. of Patent Rolls, pp. 295, 296, 304.

BALIOI.—(28 Edw. I.)

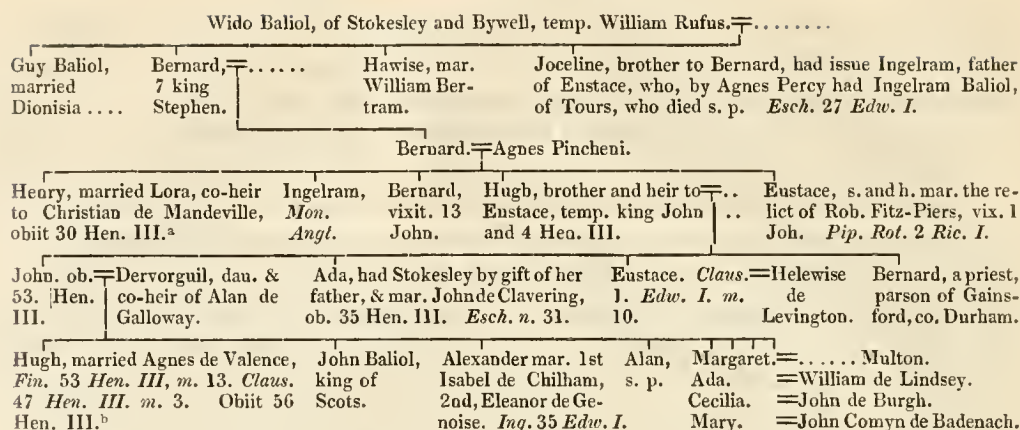
ALEXANDER BALIOL, brother to John king of Scotland, married Isabel, daughter of Richard de Chilham and widow of David de Strabolgi, earl of Athol. He had summons to parliament from the 28 to the 35 Edw. I. He was one of the barons who had summons to the parliament at Lincoln, the 29 Edw. I., but did not subscribe their names, nor seals to the letter, then addressed to the Pope, touching the supremacy of England over the realm of Scotland. His death was circ. 5 Edw. II.,† when not having any issue, his barony (if any was created by the several writs of summons) became extinct.^b

† Each. 5 Edw. II.

In order to reconcile the previous account of this family, once so eminent in point of rank, of which Dugdale has made no just connection, the following table of descent from the MSS. of the late J. C. Brooke, Esq., (in the College of Arms,) is submitted as a more accurate and elucidatory statement of the respective branches.

^a She is called by Dugdale, v. i., p. 682, Elizabeth, and at p. 475, Isabel.

^b Among those who were summoned to attend the coronation of Edw. II., (Coron. Rot. I. Edw. II.), mention is made, viz.: *Thomæ de Bailliol et cons sue*. He is represented as of Kent, but no name of any Thomas has place in the Baliol Pedigrees. He might be a natural son of Alexander, who was of Chilham Castle, Kent, jure uxoris.



^a Parkins, in his *Topography of Freebridge, county of Norfolk*, p. 50, states, that this Henry, by Lora, his wife, had a son Alexander, living 56 Hen. III.; as also a son, Guy Baliol.

^b Chauncey, in his *History of Hertfordshire*, says this Hugh had a son Alexander, who claimed the manor of Box, as is shown by Quo Warranto, 6 Edw. I., Rot. 37. in Curia Scacc. He died in the 7 Edw. I. s. p.

EVIDENCES.—Vt. 101, 123, 2, 30. B. B. —, 30. C. 13, 210. Deeds concerning Baliol and Stokesley.

BASSET OF DRAYTON.—(49 HEN. III. & 22 EDW. I.)

THE first of this line was Ralph, second son of Richard Basset, and Maud daughter of Geoffrey Ridell, his wife. His son Ralph Basset of Drayton, in com. Stafford, had issue Ralph Basset, summoned to parliament 49 Hen. III.; and slain after at the battle of Evesham; whose son, another

Ralph, had summons the 22 Edw. I.,^a to attend the king at Portsmouth, and the 23 and 27 Edw. I., as Ralph Basset *de Drayton*, was summoned to parliament.

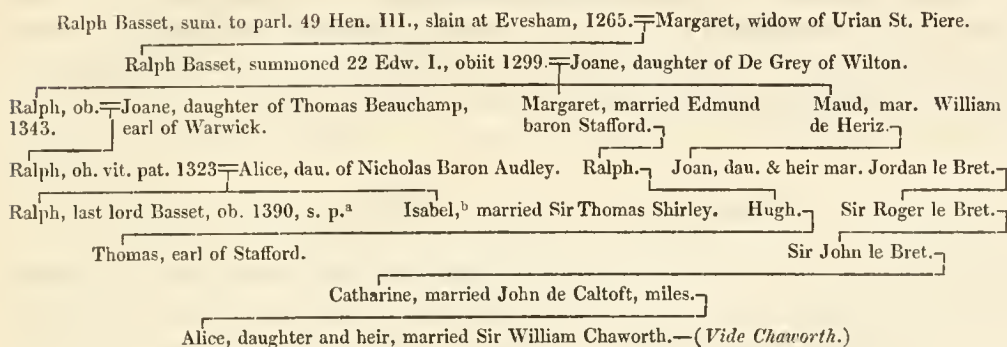
Ralph Basset his son and heir was summoned to parliament from the 28 Edw. I., to the 16 Edw. III., inclusive; and was summoned to the coronation of Edw. II.

Ralph Basset, grandson and heir, (*i. e.*, son of Ralph, eldest son of the last baron, and who died vi. pat.) had also summons from the 31 Edw. III., to the 13 Ric. II., inclusive, and died the year following, s. p., leaving, according to some authorities, Thomas earl of Stafford, great grandson of Margaret Basset, sister of his grandfather, his heir; and by another inquisition, the said earl of Stafford, and Alice wife of William Chaworth descended from Maud, sister of the said Margaret, his co-heirs. But notwithstanding these two inquisitions, Sir Hugh Shirley, son and heir of Sir Thomas Shirley,

^a Though no place is mentioned in this writ, where the barons should meet, yet a parliament was holden at Westminster in the said year; and there is not any other writ of summons upon record showing that the said parliament was convened by a subsequent one.—(*Vide Parl. Rot. v. i.*)

by Isabel Basset, reputed to have been the sister of the last baron, is by some writers said to have been his nephew and heir: but on this point there seems great doubt,—for had she been legitimate, the two inquisitions can hardly be supposed to have been both erroneous, and not to have noticed her. It is, however, also said that the said Isabel was daughter of the baron's father, by a second wife:—which if so, manifests she was legitimate, and heir to the barony, though the Staffords and Chaworth being of the whole blood, might be heirs to the estate. The present marquess of Townshend, and the duke of Buckingham, are the co-heirs of the said Isabel Basset.

BASSET OF DRAYTON.



^a By his will dated 16 January, the 13 Ric. II., he gave certain manors and lands to Sir Hugh Shirley, styled his nephew, and to the heirs male of his body, on condition of bearing his name and arms; default thereof, to other persons mentioned therein, on the same conditions.

^b She is said to have been sister of the half blood to lord Basset, i.e., daughter of his father by another wife: but Glover expressly calls her *soror naturalis*.

BASSET OF SAPCOATE.—(49 HEN. III. & 22 EDW. I.)

WILLIAM BASSET, third son of Richard and Maud Ridell, was the founder of this house. His great-grandson, Ralph Basset, was summoned to the parliament of the 49 Hen. III., with the addition of *de Sapcoate*, as his eldest brother Ralph was to the same parliament, by the distinction of *de Drayton*. He married Elizabeth daughter of Roger, and one of the sisters and co-heirs of Robert lord Colvile, and had issue,

Simon Basset his son and heir, who was summoned to Portsmouth the 22 Edw. I., and had issue Ralph Basset, his son and heir, who the 44 and 46 Edw. III. had summons to parliament as *Ralph Basset de Sapcoate*, but never after. He died the 2 Ric. II., leaving issue by Sybil his first wife, Alice, who married Sir Robert Moton; and by Alice his second wife, a daughter Elizabeth, who married Richard de Grey, of Codnore, his daughters and co-heirs.

Reginald Moton, great grandson of Sir Robert, had two daughters, his co-heirs; whereof Anne married William Grimsby, whose daughter and heir Anne married Richard Vincent of Massingham, co. Linc., father of George Vincent of Peckleton, great-grandfather of Marmaduke Vincent of Smeton in Yorkshire, who died s. p. m., leaving only female issue; whereof, Mary one of his daughters and co-heirs, married Joseph, second son of Sir Edward Peyton of Isleham, bart., by his third wife, and had a son Vincent Peyton. Elizabeth, the other daughter and co-heir of Reginald Moton, married Ralph Pole of Radborne, in com. Derby, Esq., whose heir male is the present Edward Sacheverell Chandos Pole, esq., of Radborne; but whose heir general is the representative in the female line, of Francis, eldest great-grandson of the said Ralph Pole. In these co-heirs are combined the baronies of Basset of Sapcoate, and Colville of Castle Bytham. The estates of Sapcoate and Castle Bytham were long possessed by the ancestors of Mr. Pole, but sold by them about a century ago.

BASSET, OF WELDON.—(25 EDW. I.)

SIR WILLIAM DUGDALE, in his *Baronage*, (p. 378,) says that Richard Basset, by Maud Ridell, his wife, had issue, Geoffery, surnamed Ridell, whose son Richard, re-assuming the name of Basset, seated himself at Weldon; yet, in his *Usage of Arms*, (p. 20), he writes that Richard was the second son, to whom Maud Ridell, his mother, gave the barony of Weldon. It would therefore rather seem that Richard Basset and Maud Ridell had four sons, viz. Geoffery the Troubadour, who took the name of Ridell; Richard of Weldon; Ralph of Drayton; and William of Sapcoate,—but this matters not at the present day; it may suffice to say, that descended from Richard of Weldon, was

Richard Basset, the first of this line, who in the 25 and 27 Edw. I. had summons to parliament, but neither he nor any of his descendants were ever after summoned, though Ralph his son and heir had summons the 1 Edw. III. to be at Newcastle, *cum equis et armis*: a further account of the family is therefore unnecessary, it not being considered among the barons of the realm; though if the two summonses were regular ones, and a sitting could be proved under either, a descendable barony would be vested in his heirs, i. e. of his body.—(Vide Resolution of the lords on the Clifton case.) These heirs in such respect, would be the issue general of his granddaughters, viz. Joan and Alianore, daughters of his son Ralph, whose grandson Richard Basset, dying s. p. the 10 Hen. IV., Sir John Aylesbury, knt., son of Joan, and John Knyvett, son of Alianore, the sisters of Ralph, the father of Ralph, father of the said Richard were found his cousins and heirs.

The issue of Sir John Aylesbury was Sir Thomas, who had two daughters, co-heirs,

viz., Isabel, wife of Sir Thomas Chaworth (ancestor to Sir George of Wiverton, co. Nottingham); and Eleanor, who married Humphrey Stafford, of Grafton. For the heirs of Knyvett, vide Knyvett and Clifton.

BAVENT.—(6 EDW. II.)

DUGDALE in his account of this family is very brief, and merely states that Robert Bavent in the 30 Edw. I., had licence for a weekly market at Marom in com. Lincoln, as also free-warren for his demesne lands at Billesby and Miceby in the same county; and had summons to parliament the 6 and 7 Edw. II., to whom succeeded

Thomas Bavent, who the 4 Edw. III. obtained a licence for a weekly market at Eston Bavent, in Suffolk, whose successor was Peter, who dying the 44 Edw. III., left Eleanor and Cecily, his daughters and heirs,* who had livery of their lands, their homage being respited.

Thus far according to Dugdale in his Baronage,† but on referring to the writs of summons for the 6 and 7 Edw. II., the name of Robert Bavent is not in them, nor is it mentioned at all in his Index to his Lists of Summons: on the contrary, the name of Roger Bavent is alone inserted, and that in the 6, 7, 8, 9, 10, 11, 12, 13, 14, and 15 Edw. II.; and if it be the same Roger, it is again in the writs of the 6, 7, and 8 Edw. III.

A pedigree penes auctore, recites, viz :—

Adam de Bavent married the daughter and heir of William de Westoneston, or Wiston, and had issue another Adam, lord of the manor of Clapkin, and of other manors in Sussex, temp. Edw. I., which last

Adam Bavent married Alice, daughter and heir of Peter Escudamore (son of Maud, wife of Geoffery Escudamore, one of the aunts of John the last lord Gifford, of Brimsfield), and had issue Roger Bavent, who by Lettice his wife had another Roger, who by Hawyse his wife had John his son and heir, living the 22 Edw. III., who dying s.p., left Eleanor his sister and heir; which Eleanor married William de Braose, and had issue Peter,^a to whom Edw. the III. confirmed the manor of Wiston in Sussex, and Wedenshall in com. Buckingham—which Peter had John de Braose, whose wife was Margaret, daughter of

^a Grant to Peter de Brews and Joan his wife, in tail general, of Westneston (or Wiston), &c.; remainder to Peter son of Thomas de Bavent, knight, in tail male; remainder to Peter de Brews, in fee.—(*Rot. Pat.* 31 *Edw. III. m. i. pars.* 3.)

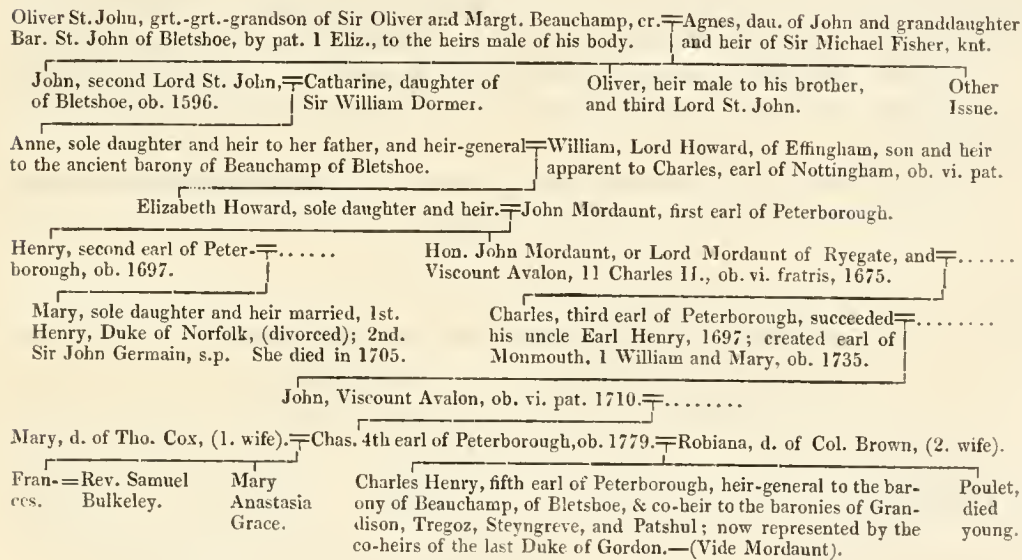
Roger Bavent made a grant to the king in fee of divers lands in the counties of Dors., Wilts., Kent, Suss., Suff, and elsewhere in England and Wales.—(*Rot. Pat.* 20 *Edw. III., m. 29, pars.* 2.)

Roger Bavent enfeoffed Roger his son, and Hawyse his wife, of Fifhyde, &c.—(*Esch.* 22 *Edw. III., No.* 21. *Second Nos.*)

* Origin. 44
Edw. III. Rot.
2, Line.
Partition.
† Dug. Bar.
Vol. ii., p. 64.

which year he died, leaving Roger his grandson and heir;^a but neither he nor any of his descendants had the like summons. The said Roger had issue a son John, who died temp. Hen. IV., leaving a son John, and a daughter Margaret, who became heir to her brother, and married first, Sir Oliver St. John; secondly, John Beaufort, duke of Somerset; and thirdly, Leo lord Welles. From her first husband, Sir Oliver St. John, is descended in the male line, the present lord St. John, of Bletshoe; but the barony of Beauchamp, if any was created under the writs of summons, is now vested in abeyance with the sisters and co-heiresses of the late duke of Gordon, or their heirs representative, as also a co-inheritance of the baronies of Patshull and Grandison, supposing they were baronies.

BEAUCHAMP, OF BLETSHOE.



BEAUCHAMP.—(24 Edw. III.)

JOHN BEAUCHAMP, a younger son of Guy, (ninth earl of Warwick) was summoned to parliament from the 24 to the 34 Edw. III., as *John de Beauchamp de Warrewyk*, but died s.p.

^a Roger Beauchamp, son of Roger, son of Sibilla, daughter of Mabel, sister of Otto, father of Thomas de Grandison. Livery of lands.—*Vide Originalia*, 50 Edw. III., Rot. 2, 3, 6. Esch. 7 Ric. II., No. 22.)

BEAUCHAMP OF HACCHE.—(25 EDW. I.)

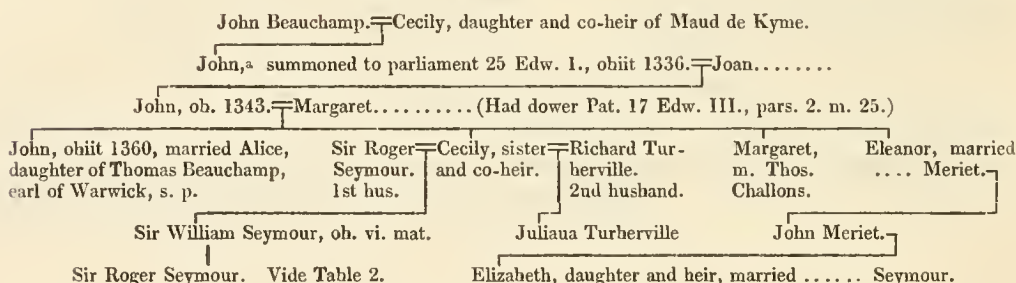
JOHN DE BEAUCHAMP was summoned to parliament the 25 Edw. I., and afterwards from the 28 Edw. I. to the 9 Edw. III., as John de Beauchamp de Somerset.^a

John his son and heir had similar summons, from the 10 to the 17 Edw. III., as also had John his son and heir, from the 25 to the 35 of Edw. III.; but he dying s. p., his sisters became his co-heirs; viz. Cecily, who married first Sir Roger Seymour, ancestor to Seymour, duke of Somerset; and secondly, Richard Turberville; Margaret, who married Thomas Challons; and Eleanor, who married — Meriet, between whom the barony fell into abeyance, and does not appear to have been ever taken thereout, and as such, is considered to remain among their heirs general representative.^b

Eleanor Beauchamp, after the death of her husband, — Meriet, married secondly, Walter Blount, great-grandfather of Walter first lord Montjoy; and thirdly, Sir Henry Luvet.

On the partition of the manors, those of Hacche, Shepton-Beauchamp, and others were assigned to Cecily the wife of Sir Roger Seymour.—(*Origin. 36 Edw. III., Rot. 3.*)

BEAUCHAMP OF HACCHE. TAB. I.

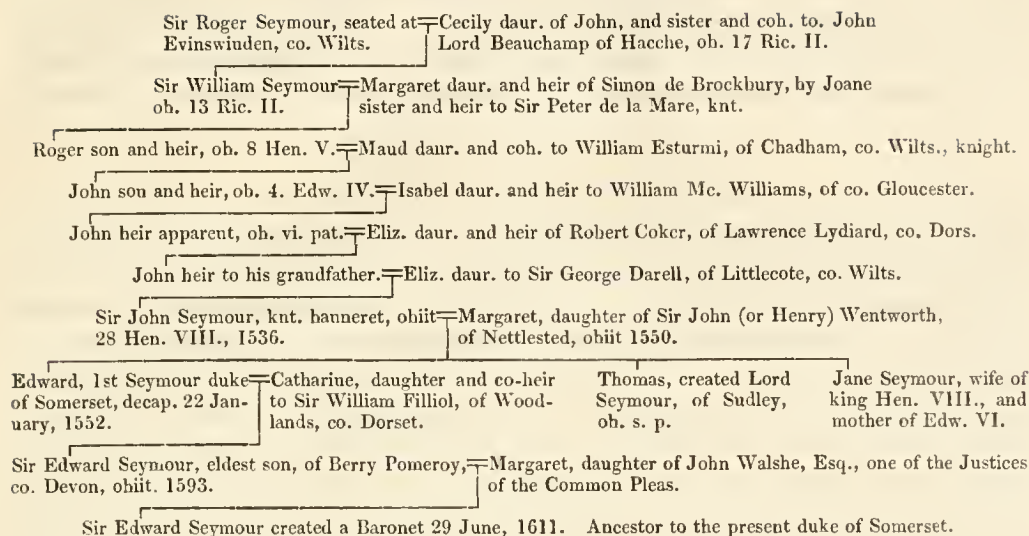


^a He founded and endowed a College or Chantry, at Stoke, in com. Somerset, for five chaplains to pray for the souls of John lord Beauchamp his father, and Cecilia, his mother, Robert his brother, the lady Joan his wife and their children, and for all his relations and friends.—Dat. at Barnwell, 4 nones Octo. 1304. (ex Registro de Droghda ep. Bath & Wells.)

^a He subscribed the letter to the Pope in the parliament at Lincoln, 29 Edw. I., and is there designated *Johannes de Bello Campo Dominus de Hacche*. (On which occasion there is also named a *Walter de Bello Campo Dominus de Alcester*, who though not summoned, had his seal affixed to the letter then written to the pope.) He was likewise summoned to the coronation of Edw. II.

^b Edward Seymour, first duke of Somerset, descended from the said Cecily Beauchamp, was beheaded 23 January, 1552, and all his honours forfeited.

BEAUCHAMP OF HACCHE.—(TAB. II.)



BEAUMONT.—(2 EDW. II.)

HENRY BEAUMONT, styled *Consanguineus Regis*, was summoned to parliament from the 2 Edw. II., to the 6 Edw. III., as a baron; and from the 7 Edw. III., to the 13, as *Henry de Beaumont earl of Boghan*, he having married Alice, daughter, and at length heir of Alexander Comyn earl of Boghan, in Scotland. This denomination did not, however, give him any other rank than as a baron in the English peerage, as has been presumed.* * Vide Boghan

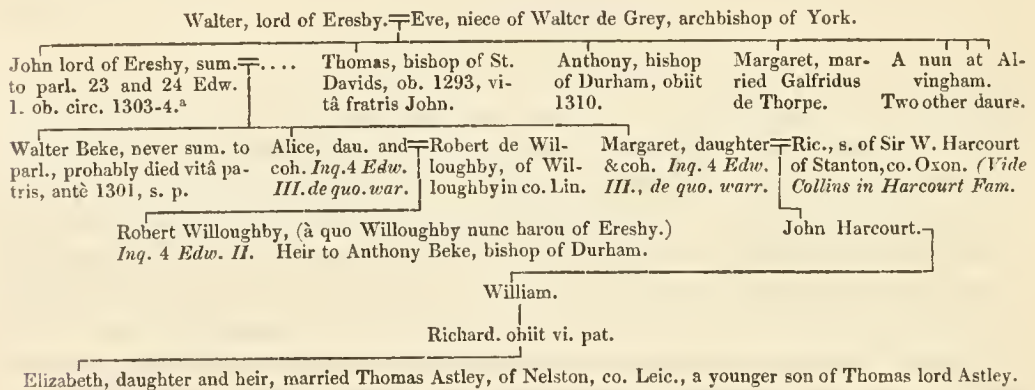
John Beaumont, his son and heir, never used the title of earl of Boghan, and was summoned to parliament only as *John de Beaumont*, as were also his successors, till John de Beaumont, the sixth baron, was created by king Hen. VIII., viscount Beaumont; whose son William the second viscount, died s.p., when the viscounty became extinct, and Joan was his sister, heir to the barony, who married, John Lord Lovel; whose son Francis Lord Lovel dying s.p., his two sisters, whereof Joan married Sir Brian Stapleton, of Carlton, county of York, knight, and Frideswide, Sir Edward Norris, knight, were his co-heirs to the barony; and also to the baronies of Lovel, and of Bardolph, which last was acquired by the marriage of John, the first viscount Beaumont, with Elizabeth daughter and heir of Sir William Phelip, lord Bardolph.—(*Vide Bardolph.*)

The barony of Beaumont being thus in abeyance between the two sisters and co-heirs of Francis lord Lovel, has been lately allowed to Mr. Stapleton, descended from Joane Lovel; and therefore being now among the existing peers, renders any account

further, unnecessary. On the hearing of Mr. Stapleton's claim before the lords' committees for privileges, on his petition, stating that he was sole heir, by reason that the attainder of Henry, son of Sir Edward Norris, excluded his descendants, the house of lords, resolved, that "*the attainder of one of two co-heirs, does not determine an abeyance.*"

BEC SIVE BEKE.—(23 EDW. I.)

JOHN BEC, or Beke, descended from Walter Bec, a Norman, who upon the conquest, obtained, among other manors, that of Eresby in the county of Lincoln, was summoned to parliament the 23 and 24 Edw. I.: but Walter his son and heir never had summons. He died s.p., leaving Alice wife of Robert de Willoughby, and Margaret wife of Richard Harcourt, his sisters and co-heirs. If this was a parliamentary barony, the abeyance may be considered to have been determined by the summoning to parliament of the said Robert de Willoughby, the 7 Edw. II.; who, though the writ is personal, was evidently summoned by reason of his having obtained the manor of Eresby; the barony has ever since been enjoyed by his heirs, and is now vested (by determination of an abeyance) in the family of Burrell, by the title of *Willoughby of Eresby*, coalesced at present with the barony of Gwydir.



^a Will dated 1301, gave Eresby to his grandson Robert de Willoughby.

BENESTED.—(8 EDW. II.)

JOHN DE BENESTED, who possessed considerable manors in the counties of Cambridge, Suffolk, Surrey, Hertford, and Worcester, was one of the justices of the common pleas, the 3 Edw. II., and had summons to parliament from the 8 to the 12 of Edw. II., but never after, nor any of his descendants. His grandson John (son of his son Edward

had a son William, who dying s.p., left his aunt Eleanor his heir, who sold the manor of Benington, (their chief seat) in Hertfordshire, to Sir William Say, knight, of Sabridge-worth, in the same county.

BENHALE.—(34 EDW. III.)

ROBERT DE BENHALE was summoned to parliament the 34 Edw. III., but never after: he was the fourth husband of Eva, daughter and heir of John baron Clavinger, and probably (as the custom then was) had summons *jure uxoris*, though the writ was personal, without any reference to a barony. He was interred in the abbey of Langley, where Eva, his wife, at her death, was also buried. He died s.p.

BERMINGHAM.—(1 EDW. III.)

WILLIAM DE BERMINGHAM had summons to Carlisle, *equis et armis*, the 1 Edw. III., but not after. Thomas his grandson left issue a sole daughter and heir Elizabeth, who married Thomas de la Roche,* and had two daughters, who were her co-heirs; whereof, Elena married, first, Edmund lord Ferrers, of Chartley, and, secondly, Philip Chetwynd; and Elizabeth married George Longville, esq., ancestor to Charles Longville, who became baron Grey, of Ruthyn. Dugdale does not mention the family of Roche in his Baronage, though he recites in his Lists of Summons to parliament the name of Thomas de la Roche, from the 28 Edw. I. to the 8 Edw. II.

* Vide Roche,
vol. ii.

BERKELEY.—(23 EDW. I.)

THOMAS DE BERKELEY, of Berkeley castle, whose ancestors were long before barons of Berkeley, by tenure in capite of that castle, was the first who had personal summons to parliament, from the 23 Edw. I. to the 14 Edw. II. Maurice his son, and his successors to Thomas, great-grandson of the said Maurice, had the like writs during their time; but Thomas who was the fifth baron by writ, and married Margaret, daughter and heir of Warine lord Lisle, of Kingston Lisle, dying s. p. m., his only daughter became his heir; and, according to the principle of baronies by writ, carried the barony of Berkeley to her husband, Richard Beauchamp, earl of Warwick, by whom she had three daughters, her co-heirs, viz. Margaret, wife of John Talbot, earl of Shrewsbury; Eleanor, who married first, Thomas lord Roos, secondly, Edmund duke of Somerset; and Elizabeth, who wedded George Neville lord Latimer. Among the heirs general of these three co-heirs, the barony of the 23 Edw. I., must in conformity to modern decision, be now in abeyance. But nevertheless, James de Berkeley, nephew of the last baron Thomas,

having the castle of Berkeley by virtue of an entail made by Thomas the third baron, on the heirs male of his body, was summoned to parliament the 9 Hen. V., whereby a new barony was created; unless the summons be considered as applying to the tenure of the possession of Berkeley castle, whereof the possessors had been from time immemorial barons, without any other form of creation than livery and seisin. If the barony had emanated from the writ of summons of the 23 Edw. I., it certainly terminated in abeyance between the three daughters and co-heirs of Richard Beauchamp, earl of Warwick, which abeyance has never been determined. It is the barony of the 9 Hen. V. which is now in earl Berkeley.

It however would certainly seem as if the tenure or possession of Berkeley castle was then conceived to give the right of barony to its owner; which is more particularly confirmed from the circumstance that William lord Berkeley, son and heir of James, summoned as aforesaid, 9 Hen. V., having been created viscount Berkeley earl of Nottingham, and marquess of Berkeley, died s.p.s., when those titles became extinct, and the barony of Berkeley being, as marquess William considered, attending upon the possession of the castle; and he having conceived some displeasure against his brother Maurice Berkeley, with a view to disappoint him of the succession, gave the said castle by indenture, dated 10 December, 3 Hen. VII., for want of issue of his own body, to the said king Hen. VII., and the heirs male of his body, and for default of such issue, to his own right heirs.* Thus upon his decease the 7 Hen. VII., without surviving issue, the castle of Berkeley, manor, &c., passed to the said king, and his brother Maurice was disappointed of the inheritance.

* Dug. Bar.
vol. i. p. 365.

Though thus excluded the barony of Berkeley if attached to the tenure of the castle, yet, the said Maurice Berkeley (his brother) was entitled to have succeeded to the barony under the writ of summons of the 9 Hen. V.; but he was never summoned to parliament, and died leaving three sons, viz. Maurice, Thomas, and James. Of these

Maurice the eldest, had summons to parliament, the 14 Hen. VIII., when he is said to have sate only as a new junior baron,^a which indicates that the writ of the 9 Hen. V. was not a summons creative of a new barony, but had emanated solely because lord James was in possession of Berkeley castle, and was baron thereof by prescription, as his ancestors had been for time immemorial. This Maurice died s.p., and was succeeded by his brother, and heir,

Thomas Berkeley, who had summons to parliament the 21 Hen. VIII.;^b he died shortly after in 1532, leaving a son Thomas his heir, which

^a His name does not appear in the writ of the 14 Hen. VIII., as printed in Dugdale's Lists of Summoned, though mentioned by him in his Baronage to have been summoned in the said year.

^b In this writ he is styled Thomas Berkeley de Berkeley, chivalier, and is noted to have made his first entry then in parliament, and to have paid to the Heralds xx. s. (Dugdale citing an old book in the college of arms.

Thomas lord Berkeley, died two years after, (in 1534) leaving Anne his wife then pregnant, who was delivered of a son, born nine weeks and four days after his decease, named Henry, which

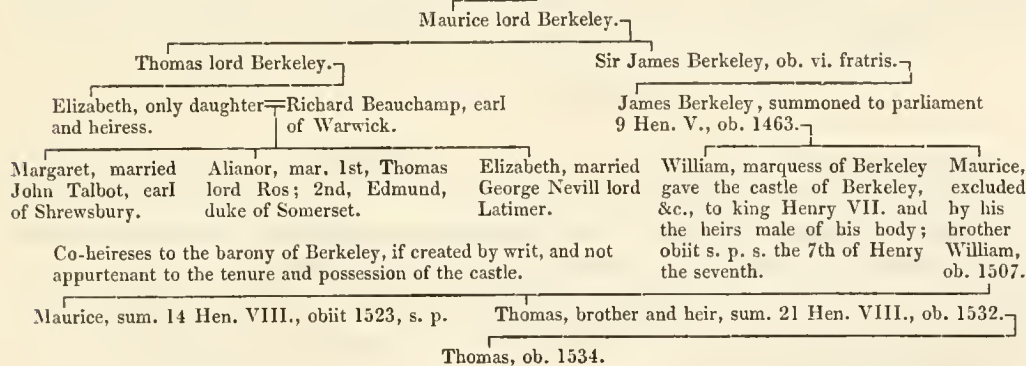
Henry, only, and posthumus son, upon the death of king Edw. VI., the last heir male to Henry the VII. became entitled to the re-possession of Berkeley castle; and by petition of right recovered the same—and thus re-acquiring the old barony of his ancestors was, (according to Dugdale, citing the Journals of parliament)* summoned by writ, the 4 and 5 Phil. and Mary, and there placed the 25th January.

* Dug. Bar.
Vol I., p. 368.

From this Henry is descended the present earl of Berkeley; but he not possessing the castle of Berkeley, cannot be deemed to have any other barony than the one derived from the writ of summons of the 9 Hen. V., which being so derived, is descendable to the heirs general of the body of James lord Berkeley, then so summoned.

With regard to the castle of Berkeley, it is possessed by the present earl Fitz-Harding, who under the supposition of its giving right to the ancient barony of that name preferred a claim thereto, which obtained several hearings before the lords' committees for privileges, but their lordships never came to any decision thereon. The claimant, Col. Berkeley, eldest son of the late earl Berkeley, born before marriage,^a was first advanced to the peerage by the title of baron Segrave, and subsequently promoted to the dignity of earl Fitz-Harding.

Thomas lord Berkeley entailed the castle and manor of Berkeley on Maurice his son, and the heirs male of his body, &c., by fine levied 23 Edw. III.



Henry lord Berkeley, recovered possession of Berkeley Castle, à quo the present earl of Berkeley.

^a The controversy respecting the marriage of the earl has occasioned much doubt. He married the lady, mother of the colonel and of other children, subsequently to his, and their birth; but a marriage prior to their birth is said to have privately taken place, and the subsequent one for the purpose of confirmation. The subject was investigated before the house of lords, when their lordships negatived the first marriage. Lady Berkeley afterwards published an appeal to the house of lords, with very interesting comments upon the evidence brought forward on that occasion.

BERNERS.—(33 HEN. VI.)

IN the reign of Henry V., Richard Berners of West Horsley, in the county of Surrey, had, according to Dugdale, the reputation of a baron; but there is not any record of his having ever been so created, or had summons to parliament. He left issue by Philippa his wife, Margery his only daughter and heir, who by her first husband, John Fereby, had not any issue. Her second husband was John Bouchier, fourth son of William earl of Ewe, by Anne, daughter of Thomas of Woodstock, duke of Gloucester; which

John Bouchier was summoned to parliament by the title of *John Bouchier de Berners, chevalier*, from the 33 Hen. VI., to the 12 Edw. IV., shortly after when, he died, and was succeeded by his grandson John, (son of Humphry his eldest son, who died in his lifetime); which John, second lord Berners, died in 1532, leaving two daughters his co-heirs, viz.: Jane, who married Edmund Knyvet, esq.; and Mary, who married Alexander Unton, esq. From this period to the year 1717, a space of one hundred and seventy-five years, the barony remained dormant, when Catharine Knyvett, then wife of Richard Bokenham, esq., preferred a claim, which was afterwards allowed by the house of lords. This lady died s.p., in 1743, when the barony fell into abeyance;* and so continued till it was lately claimed and allowed to Mr. Wilson, as may be seen in the printed histories of the present peers,† who took his seat as lord Berners, accordingly, in the house of lords, in May 1832.

* Vide the co-heirs in Banks's *Dormant and Extinct Baronage*, v. ii. p. 51, *ped.*

† Vide Lodge.

The determination of this abeyance, in favour of Mr. Wilson, did not affect the other co-heirs as to any interest of co-heirship, they might have in the barony of Borough, or in any other barony.

BLOUNT.—(20 EDW. II.)

THOMAS LE BLUND, or Blount, supposed to be of the same family as Robert le Blund, who lived temp. Will. I., married Julian, daughter of Thomas de Leiburne, (widow of John lord Hastings, of Bergavenny), was summoned to parliament the 20 Edw. II., and 1 and 2 Edw. III. After when, Dugdale observes, "*I have seen no more of him.*" He probably was summoned *jure uxoris*,—his wife Julian being daughter and heiress of Thomas de Leiburne, whose father William had been summoned as a baron from 27 Edw. I. to the 3 Edw. II.

WILLIAM LE BLOUNT.—(1 EDW. III.)

WILLIAM LE BLOUNT, who married Margery, one of the daughters and co-heirs of Theobald de Verdon, a great baron, was summoned to parliament from the 1 to the 11 Edw. III., inclusive, in which year he died, s.p. His summons, like that of Thomas,

(before mentioned,) was most likely *jure uxoris*: for at that period, though the writs were personal, without any reference to a particular barony, yet they were chiefly founded on the possession of some baronial estate, which ceasing to remain in the inheritance of their descendants, such descendants were no longer reputed barons, nor had further summons directed to them.

BLOUNT.—TABLE I.—(*Ex. MS. Pedigree per Henry St. George.*)

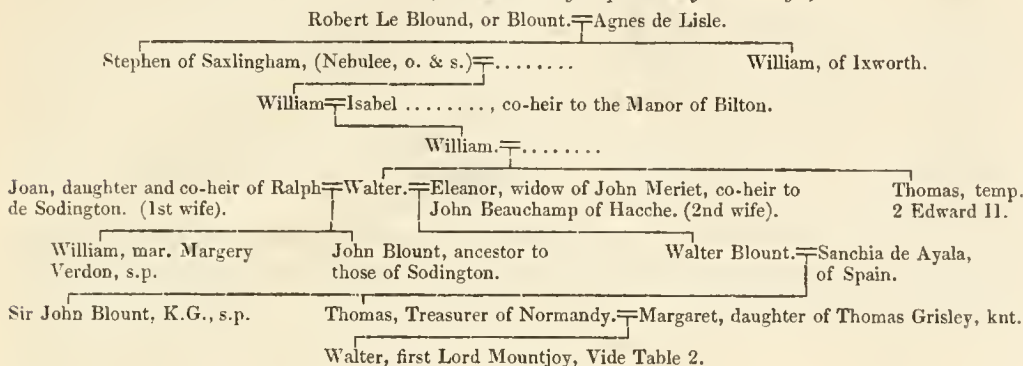


TABLE II.

Anne, Duchess of Bucks., d. of Ralph, first earl of Westmorland, = Walter Blount, = Eleanor, d. of Sir John Byron, relict of Humphry, Duke of Bucks, s.p., ob. 20 Edw. IV. (2. wife). Lord Mountjoy. of Clayton, co. Lanc. (1. wife).

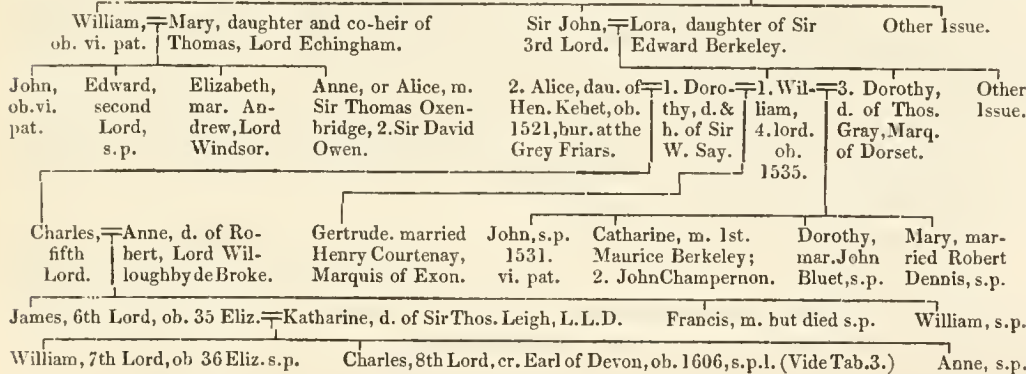
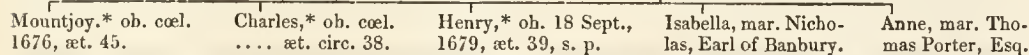


TABLE III.

Montjoy Blount, bastard son of Charles lord Montjoy and earl of Devon, = Anne, niece to the duke of Bucks & dau. created baron Montjoy of Thurveston, ob. circ. 1665. of John lord Boteler of Bramfield.



* These three brothers were all born at Newport House, in the Parish of St. Martins, in the Fields, and were all idiots.

a At St. Saviour's Church, in the borough of Southwark, is the following entry, viz: "4th May, 1595, a search was made for the burial of Francis Blunt, gentleman, by one whose name was Thomas Earnley, who, when the thing was found, seemed discontent that it was not said who the man was, being buried in the evening, obscurely; and therefore desired that it might be added that he was uncle to Charles lord Montjoy, then living, that so it might after appear of what place, and state the man was: but whether his information were true, or so, this book can be no warrant. True it is, that one of that name was buried."

BOGHAN, OR BUCHAN.—(7 EDW. III.)

* Vide Beaumont.

† Dug. Lists of Summons.

It has before been noticed under the article of Beaumont,* that Henry, the first baron Beaumont, was summoned to parliament the 7 Edw. III., by the title of earl of Boghan, he having married Alice, eldest of the two daughters, and eventually heirs of Alexander Comyn, earl of Boghan or Buchan, in Scotland, from the said 7 to the 14 Edw. III.† He continued to have summons by the same title, and by that designation was also a trier of petitions in parliament, which consequently indicates his sitting and presence therein; but after his death, which was in 1340, the 14 Edw. III., none of his descendants had summons by the title of earl, they only being summoned as barons, till John, the sixth in succession, was created a viscount by king Hen. VI.

It is here to be considered how far the writ of summons of the 7 Edw. III., created Henry lord Beaumont an earl of England, by the title of Boghan, a title by which he continued to be summoned, and sit in parliament until his death. As a Scotch earl he could have no right to sit in an English parliament; and being one of the Scotch disinheritees, his Scotch earldom had become forfeited in that kingdom. According to modern practice, ever since the union with Scotland, no Scotch nobleman can sit in the house of lords by his national title, other than one of the sixteen representatives. He can be known there only by some English peerage conferred upon him, and by the description of which he is named in the roll of parliament. Thus the duke of Hamilton in Scotland is duke of Brandon in the English peerage; the duke of Buccleugh, only earl of Doncaster; the duke of Montrose, earl Graham; the duke of Athol, earl Strange; the duke of Leinster, in Ireland, viscount Leinster. Similarly are the Scotch earls only peers in the house of lords by the title of their English creations.

Upon this view of the case it would seem that the lord Beaumont being called by writ to take his place and precedence as an earl among the English nobility, was by the operation of the writ of summons created earl of Boghan, as an English honour descendable to the heirs general of his body, and though the usage of the title has so long remained dormant, it nevertheless is presumed claimable by his aforesaid heirs.

The various decisions that a writ of summons to parliament, with a sitting under it, (which is provable in this instance) constitutes a personal and inheritable title, must be here deemed applicable to the earldom of Boghan. Many of the barons summoned in the reigns of Edw. I, II, and III, were certainly only summoned by reason of their tenures, as a service due therefrom; and the alienation of their lands put an end to their nobility.‡ Yet proving a sitting under any of these writs, has been allowed to have created a personal honour in the person so summoned, and sitting. If the writ could be so construed to create a barony, the same rule and principle go to the creation of an earl by writ.

‡ Vide Ap Adam.

BOHUN, OF MIDHURST.—(37 EDW. III.)

JAMES, or John de Bohun,* grandson of Franco de Bohun, who married Sibilla, one of the daughters and co-heirs of William de Ferrers, earl of Derby, by Sibilla his wife, sister and co-heir to Anselm Marshall, earl of Pembroke, married Joan, one of the daughters and co-heirs of William lord Broase of Gower, and had issue

* Dugd. Bar, Vol. I. pp. 188, and 421.

John de Bohun, who was summoned to parliament the 37, 38, and 39 Edw. III., and died shortly after, viz. the 41 of Edw. III., leaving by Isabel his first wife, two daughters, viz. Joane, wife of John de l'Isle of Gatcomb, in the isle of Wight;^a and Eve a younger daughter; and by Cecily his second wife, a son and heir John;^b but neither he, nor his descendants were ranked, as Dugdale relates, among the barons of the realm, thus showing in Dugdale's opinion, that *a writ of summons* was not then conceived to create *an hereditary dignity*. For if it did so create, then the issue of this John would become co-heirs to the barony of Broase of Gower, as well as to that of Bohun. The said John de Bohun had a son Humphry, whose son another John, had issue two daughters his co-heirs, whereof Mary married David Owen, a natural son of Owen Tudor; and Ursula married Robert Southwell, but had not any issue.

Sir David Owen, by Mary his wife, had Henry his eldest son, who was a great spendthrift, and sold the reversion of the manor of Cowdry, co. Sussex, &c., after his father's death, to Sir William Fitz-William, for two thousand one hundred and ninety-three pounds, six shilling, and eight-pence.† He anticipated also the greatest part of the Bohun inheritance to the same Sir William. By Dorothy daughter of Thomas West, lord de la Warre, he had three daughters, viz.: Mary, aged thirty-eight, anno 1544, who married John Warnet, of Hemsted, co. Suss.; Elizabeth, who married Nicholas Dering, and had a son Thomas, aged twenty-four, anno 1554; and Anne, aged thirty-six, anno 1554, who married James Gage. It would seem from this, that Elizabeth was the eldest daughter, but then dead, *i. e.*, 1554.

† Ex Evid. Familæ penes Auct.

BONVILE.—(28 HEN. VI.)

WILLIAM BONVILE, of an ancient family in the county of Devon, had summons to parliament from the 28 to the 38 Hen. VI., as lord Bonvile; but in the year following, viz., 39 Hen. VI., he lost his head after the battle of St. Albans, leaving Cecily his great granddaughter his heir, a very singular and almost unparalleled course of descent.—

^a John de Lisle, of Gatcombe, had issue a son John who died s.p., and two daughters co-heirs, viz.: Elizabeth who married John Bremshot, of Bremshot, Hants.; and Lora, who married Sir John Barford, knight, à quo Covert.

^b Johannes fil. & hæres Johannis de Bohun, mil' de Midhurst, et Cecilia ejus. Breve tantum, *Inq. 7 Ric. II.*, No. 11.—(*Appendix*, p. 459).

William his eldest son, died before him, having married Elizabeth daughter and heir of William lord Harrington; his son, another William, commonly called lord Harrington, in right of his mother, was slain in the lifetime of his grandfather, at the battle of Wakefield, leaving by his wife Catherine, daughter of Richard Nevill, earl of Salisbury, an only daughter Cecily his heir, and heir, as before mentioned, to her great-grandfather William lord Bonvile. She married Thomas Grey, marquess of Dorset, by whom she had issue Thomas, the second marquess, father of Henry, created duke of Suffolk, by whose attainder the baronies of Bonvile, Harrington, Astley, and Grey alias Ferrers of Groby, merged in the said duke, became forfeited.*

* Vide Grey
sive Ferrers of
Groby.

BOTELER OF WERINGTON.—(22 EDW. I.)

THIS family was so named from being *Botelers* or *Butlers*, to Ranulph or Ralph earl of Chester, and is totally different in origin and descent from the great house of Butler, earl of Ormond.

William le Boteler was summoned to parliament the 22, 23, and 24 Edw. I., and in the 25, as *William le Boteler de Warrington*. He was succeeded by John his son and heir, who is mentioned in Dugdale's Index of Summons to have had a similar writ the 14 Edw. II.; but his name does not appear in his text: however, whether so summoned or not, Dugdale makes no further mention of him, as not being reputed afterwards among the barons of the realm.

BOTELER OF OVERSLEY AND WEMME.—(24 EDW. I.)

THIS family also took its name from Ralph Boteler, who filled the similar office of *Boteler* or *Butler* to Robert earl of Leicester, and was possessed of the manor of Oversley, in the county of Warwick. From this Ralph, through several successions, descended

William Boteler, who being possessed of the manor of Oversley, as also of the great manor of Wemme in Shropshire, acquired by the marriage of one of his ancestors with the daughter and heiress of William Pantulf, a great feudal baron in that county, whose *caput baroniæ* that manor was, had summons to parliament from the 24 Edw. I., to the 1 Edw. III. William his son was never summoned; but William his grandson was so in the 42 and 43 Edw. III.; dying s.p.m., Elizabeth his only daughter was his heir, who was three times married—first, to Robert Ferrers—secondly, to Sir John Say—thirdly, to Thomas Molinton, but by her last two husbands does not appear to have had any issue.—(*Vide Ferrers of Wemme.*)

The account of the descent of this family, by Dugdale, is very complicated and confused. Several MS. pedigrees, *penes auct.*, are likewise far from being concordant.

BOTETOURT.—(1 EDW. II.)

JOHN DE BOTETOURT had summons to parliament from 1 to 18 Edw. II.* He married Maud sister and heir to Otto, son and heir of Beatrice de Beauchamp, one of the co-heirs of the barony of Beauchamp of Bedford, which barony was holden in grand serjeanty, by the service of being almoner to the kings of England, on the day of their coronation.†

* Etiam. 33
Edw. I. Dugd.
Lists of Sum.

John de Botetourt his grandson (being son of Thomas, his eldest son, who died vi. pat.) had also summons from the 16 Edw. III., to the 9 Ric. II. His mother was Joane, one of the daughters and co-heirs of John de Somery baron of Dudley, in virtue whereof, he was a co-heir of that ancient barony. He died very aged, in 1385, leaving Joice the wife of Hugh Burnell, daughter of John his eldest son, who died vi. pat., his granddaughter and heir. But she dying s.p., the barony fell into abeyance between his three daughters, viz: Alice, who married — Kyriel; Joice, wife first of Sir Baldwin Frevil, secondly of Sir Adam de Peshall; and Catherine who married Maurice Berkeley.

† Vide
Banks's Dorm.
and Extinct
Baronage,
p. 26.

The barony thus continued in abeyance till 1764, when it was claimed by Mr. Norborne Berkeley, descended from the said Maurice; and after due investigation before the house of lords, was adjudged to him, and he had summons to parliament as baron Botetourt accordingly. He dying in 1776, s.p., it fell again into abeyance, and so continued till 1803, when the abeyance was terminated in favour of Henry fifth duke of Beaufort, as son and heir of Elizabeth, sister and heir of the before mentioned Norborne Berkeley, by her husband Charles fourth duke of Beaufort.

BOTREAUX.—(42 EDW. III.)

WILLIAM BOTREAUX was summoned to parliament from the 42 of Edw. III. to the 15 Richard II.^a He was son and heir of William de Botreaux, who married Isabel, one of the daughters and co-heirs of John de Moels, a parliamentary baron, who died the 11 Edw. III., leaving the said Isabel, and Muriel the wife of Sir Thomas Courtenay, his co-heirs to the said barony; from which it may be inferred, that the abeyance thereof was determined in favour of William Botreaux, as son and heir of Isabel, and that he had summons to parliament accordingly, although the writ was personal to him without naming the real barony of Moels therein; and if so, Botreaux was not a creation, but a continuation of Moels. Whether William his son was ever summoned is uncertain; unless the writ of the 15 Ric. II. was addressed to him, and not to his father, as he died in August, and that writ was 7th September, 1391, the same year. However the said William

^a He married Elizabeth, daughter of Sir Ralph D'Aubeney, by Catherine his wife, sister and heir to Thomas de Twenge.

died in May, the year following, viz. 1392, leaving a son William only five years old; who on attaining his majority, was afterwards summoned to parliament from the 14 Hen. IV. to 1 Edw. IV. He died the year following, leaving Margaret his daughter and heir, who styled herself *Margareta Dn'a Botreaux*, and married Sir Robert Hungerford, knight, by which marriage the said barony came into that family, and from it to that of Hastings, earl of Huntingdon, and is now in the present marquess of Hastings.—(*Vide Moels and Hungerford.*)

BOURCHIER.—(16 EDW. III.)

ROBERT BOURCHIER was summoned to parliament the 16, 22, and 23 Edw. III., as was his son John, from the 5 Ric. II. to the 1 Hen. IV., and his son Bartholomew from the 1 to the 10 Hen. IV., when he died, leaving an only daughter Elizabeth his heir, who married first, Sir Hugh Stafford and secondly, Sir Lewis Robessart, K. G., both which husbands were successively summoned to parliament without any designation, showing that they were summoned as barons Bouchier,—though it is certain that each was so *jure uxoris*. They both dying s. p., the barony upon her death, in 1432, s. p., devolved upon

Henry Bouchier, earl of Ewe in Normandy, great-grandson of Robert the first baron, by his second son William Bouchier;^a which Henry was summoned to parliament from the 13 to the 23 Hen. VI., sometimes as Henry Bouchier, earl of Ewe; at others, as Henry Bouchier de Bouchier, or chevalier. He was however afterwards created viscount Bouchier, and lastly earl of Essex, whereby the barony was merged in the higher dignity, and so continued to the death of Henry the second earl, when it descended to Anne his only daughter and heir, who married William Parr, earl of Essex, but her issue being illegitimated by act of parliament, the barony on her decease, devolved upon Walter Devereux, baron Ferrers of Chartley, son and heir of John Devereux, baron Ferrers, by Cecily sister and finally heir of Henry, the second Bouchier earl of Essex. It is now in abeyance between the present duke of Buckingham and the marquess Townshend, the co-heirs general of Robert the last Devereux, earl of Essex, and co-heirs of Walter his ancestor, son of Cecily Bouchier before mentioned.

BRADESTON.—(16 EDW. III.)

THOMAS DE BRADESTON held Bradeston and other manors in Gloucestershire, temp.

^a This William Bouchier married Alianore, daughter and eventually sole heir of John de Lovaine; and from that marriage his descendants have assumed the titles of barons Lovaine, as may be further seen on reference to that article.

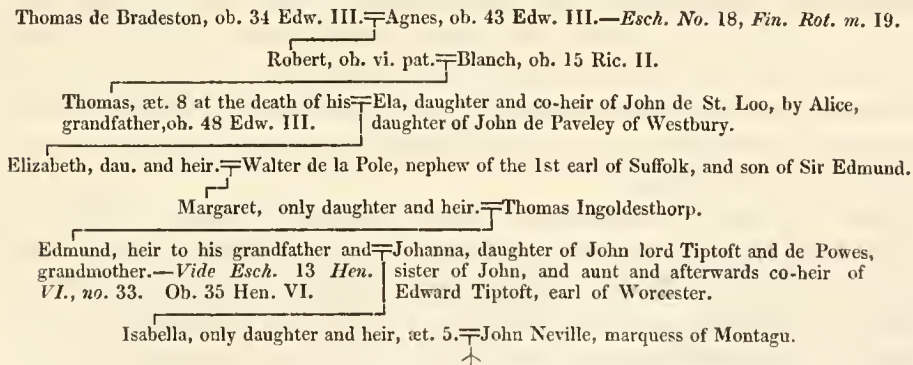
Edw. II. by knight's service; he was summoned to parliament, from 16 to 34 Edw. III. when he died, leaving Thomas, (son of Robert his eldest son, who died vi. pat.) his grandson, and heir, but the said Thomas never had summons to parliament; he married Ela daughter and co-heir (with Joane her sister, who married John Chidyock,) of John de St. Loo, by Alice, his wife, daughter of John de Pavely, of Westbury, in com. Wilts., and left issue an only daughter Elizabeth, his heir, who married Walter de la Pole, whose daughter and heir Margaret, became wife of Ingoldesthorpe, whose granddaughter Isabel, married John Nevill, marquess of Montacute, slain at the battle of Barnet; by whom she had two sons, George and John; and five daughters, eventually her co-heirs, wherefore the barony of Bradeston vested in them in abeyance.

King Henry VIII., by act of parliament, exchanged and settled certain lands in recompence to the five heirs of the marquess of Montacute, for five hundred marks per annum, granted by Edw. III., to Sir Thomas of Bradeston; who, by letters patent, dated at Orygue-upon-Oyse, 15 Octo., 13 Edw. III., was advanced to the estate of a banneret. —(*Ex. Eviden' penes Auct.*)

It is to be observed that Thomas de Bradeston, was one of the triers of petitions in the two parliaments of 25 Edw. III. which proves his presence and sitting therein, and gives to the five daughters and co-heirs of the marquess of Montacute the barony as not affected by the attainder of their father, their right being acquired by descent from their mother, heiress of Ingoldesthorpe, heir-general of the said Thomas de Bradeston.*

* Vide Nevill de Montague.

BRADESTON AND NEVILL, DE MONTAGU.



BRAOSE, OF GOWER. — (22 EDW. I.)

WILLIAM DE BRAOSE (of a different family to that of Brus, or Bruce, which became kings of Scotland,) was summoned to parliament the 22 Edw. I., and afterwards from

the 25 Edw. I. to the 16 Edw. II. In the 29 Edw. I. he was one of the barons summoned to the parliament at Lincoln, and then subscribed the famous letter written to the pope, asserting the supremacy of England, over the realm of Scotland, being then denominated, *Willielmus de Breuhosa Dominus de Gower*. The 35 Edw. I. he paid one hundred marks relief for the castle and barony of Brembre, in Sussex, and one hundred shillings for the land of Gower, in Wales, holden in capite, by the service of one knight's fee, thus showing the difference between *barony* and mere *military service*,* dying s.p.m. his two daughters by Aliva his wife, daughter of Thomas de Multon, became his co-heirs, of which, Aliva married John de Mowbray, and Joane, John (or James) de Bohun, of Midhurst, between whose heirs-general the barony of Braose of Gower is in abeyance, if the summons of Bohun the 37 Edw. III. be not considered a determination of it in his behalf; Mowbray being a baron long before. But a writ of summons at that period, was certainly not then looked upon as a personal creation of a barony, descendable in blood to the heirs-general of the person summoned to parliament, without a territorial holding in capite of the crown, either by barony, or a number of knights' fees, equivalent thereto.

This barony of Braose of Gower has by the several printed Peerages of Collins and other authors, been ranked among the numerous titles of the duke of Norfolk; but as appears, evidently without reason. On the death of William de Braose without issue male, his two daughters, the one married to Mowbray, and the other to Bohun, became, his co-heirs; and if it was a descendable barony, it then fell into abeyance between them; and unless the subsequent writ of summons to John de Bohun may be considered a determination of the abeyance, as Mowbray was a baron of long previous standing, it still remained so. Upon the decease of Thomas de Mowbray, duke of Norfolk, descended from the said John lord Mowbray, and Aliva de Braose, the moiety of Mowbray fell into abeyance between the two daughters and co-heiresses of the duke, whereof one married Sir John Howard (who was afterwards created duke of Norfolk), and the other married James lord Berkeley.

From John, first Howard, duke of Norfolk, descended Edward, the eleventh duke, who died in 1777, s.p., when whatever baronies by writ to which he was entitled, fell into abeyance between the two daughters and co-heiresses of lord Philip Howard, his brother, viz. Winifred the eldest, who married William lord Stourton; and Anne the youngest, who married Robert lord Petre, so that at this time the Howard moiety of the baronies of Braose of Gower, and of Segrave, do not rest in any way in the present duke of Norfolk, who derives his descent from a very junior branch of the male line of the Howard family.

* Trin. Fin. 35
Edw. I. Rot.
66.

THOMAS DE BROASE.—(16 EDW. III.)

WILLIAM, the last lord Braose, of Gower, having died, leaving only issue female, Peter, his brother, was his next heir male,* but he dying s.p., Thomas, the third brother, became his heir: which

* Dugd. Bar. v. i., p. 420.

Thomas de Braose had summons to parliament the 16, 22, 23, 26, and 27 Edw. III., and deceased the 35 Edw. III., leaving, by Beatrix, his wife, daughter of Roger Mortimer, (widow of Edward, son of Thomas of Brotherton,) two sons, John, and Thomas, but neither of them ever had summons to parliament: of the sons

John de Braose was twenty-two years of age at his father's decease; and married Elizabeth, daughter of Edward de Montague, but died s.p.,† leaving Thomas, his brother and heir, which

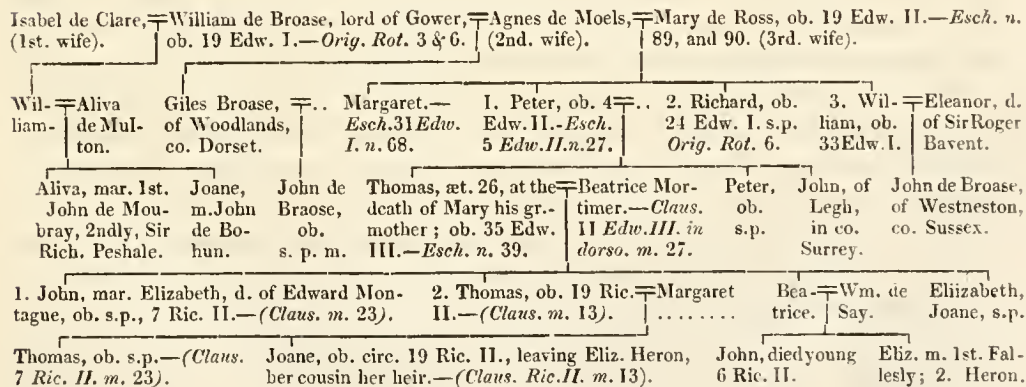
† Claus. 7 Ric. II. m. 23.

Thomas de Braose is stated by Dugdale to have died in his minority, leaving Joane, his sister and heir to his estate; which Joane also dying issueless, Elizabeth, the wife of Sir William Heron, knight, came to be her heir, being daughter of Beatrix, sister to Thomas, father of Thomas, brother of her, the said Joane de Braose; which Beatrix married William lord Say, and had issue Elizabeth, his daughter and heir, who married the said Sir William Heron.‡

‡ Vide Say.

In this instance the barony became extinct, although Dugdale states the succession as above mentioned, and makes Peter de Braose to have died s.p., leaving Thomas, his brother and heir; yet from the following pedigree, it will be seen, that Thomas was son of Peter, and not brother. In point of baronial interest, the difference is not material; it only shows the conflicting authorities respecting this once eminent and ancient baronial family.

BROASE OF GOWER.



BRAY.—(21 HEN. VIII.)

SIR EDMUND BRAY, knt., was summoned to parliament from the 21 to the 28 Hen. VIII. His son John had also summons from the 37 Hen. VIII. to the 2 of queen Mary, but died s.p., leaving his six sisters his co-heirs, and the barony in abeyance between them. Of these ladies, Anne married George Brooke, lord Cobham; Elizabeth was wife first of Sir Ralph Verney, secondly of Richard Catesby, and thirdly of William Clark esq.; Fridiswide married Sir Percival Hart, knt.; Mary, Sir Robert Peckham; Dorothy married first Edmund Bridges lord Chandos, secondly William lord Knollys, K.G.; and Frances was wife of Thomas Lifield, of the county of Surrey, esq.

From the death of John, the second lord Bray, the barony remained dormant, till it was lately claimed by Mrs. Otway Cave, descended from Elizabeth, who married Sir Ralph Verney, who having established her descent before the lords' committees for privileges, her majesty queen Victoria was pleased to determine the abeyance in her favour, in September 1839.

The barony being thus revived, an account of it may be found in the printed Peerages of the day, and in such respect is not necessary to be here further entered into. The lady was very fortunate in her obtainment of it, when there were so many co-heirs of high distinction equal competitors in point of descent. But there is a time and season for all things.

BROMFLETE.—(27 HEN. VI.)

HENRY, son and heir of Sir Thomas Bromflete, by Anastatia, daughter and heir of Sir Edward St. John, by Anastatia his wife, daughter and co-heir of William de Aton,^a was summoned to parliament the 27 Hen. VI. by a special writ directed "*Henrico Bromflet Militi Domino de Vessy*," with limitation of that honour to the heirs male of his body, being the first and only instance of such a kind of writ. He was further summoned to the 6 of Edw. IV. Dying s.p.m. the barony became extinct: but leaving an only daughter Margaret his heiress, whatever interest was in him as to the barony of Aton, descended to her. She was twice married, first, to John lord Clifford; and secondly, to Sir Lancelot Threlkeld, knt., by both of which husbands she had issue, but in the heir-general of the first the baronial interest is vested; the principal representative of which is the present baroness de Clifford. But the barony of Aton still remains in abeyance between the heirs of the three daughters of the last baron de Aton.

^a The writ of the first baron de Aton was personal, without any reference to the barony of de Vescy; for though he was found heir to certain lands of that barony, he was not heir to any barony created by writ of summons.—(*Vide Aton and de Vescy*.)

PETER DE BRUS, the last baron of Skelton, had summons to that parliament convened to meet in London the 45 Hen. III.,* but died in 1271, the 56 Hen. III., before any regular writs of summons are upon record; not having any issue his four sisters were his co-heirs.† Of these, Margaret married Robert de Ross, or Roos; Agnes, Walter de Fauconberge; Lucia, Marmaduke de Twenge; and Laderina, John de Bella-Aqua; under which respective titles their descendants may be seen, having all had summons to parliament.

* Claus. Rot. m. 3.

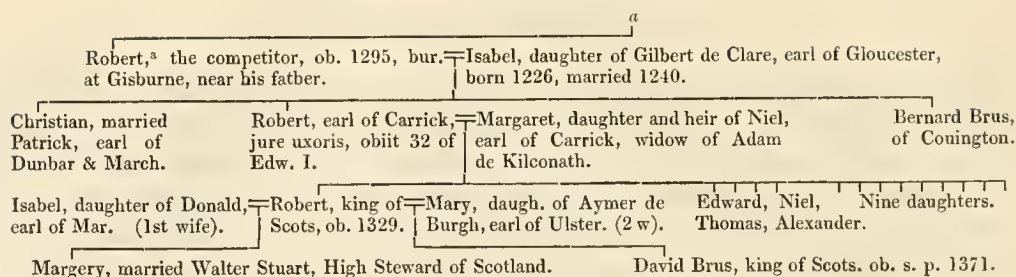
† Dorm. and Ex. Baronage, Vol. I.

ROBERT DE BRUS was summoned to parliament the 23, 24, and 25 Edw. I. He was of the line of Annandale, but died 32 Edw. I., without issue, leaving Robert his brother, earl of Carrick, his heir, who reviving the family claim to the throne of Scotland, was afterwards crowned king, and thus terminated the Brus connection as among the barons of England.

BRUS, ACCORDING TO DUGDALE.

1. Adam, of Skelton, ob. 1162. Robert, the 1st of Annandale, ob. 1199, being 133 years after the conquest.
 William, ob. 1216.
 Robert, ob. 36 Hen. III., 1252. Isabel, second daughter of David, earl of Huntingdon.
 Isabel, daughter of Gilbert de Clare, earl of Gloucester. Robert de Brus the Comptitor, ob. 1295. The countess of Carrick, named Martha, widow of Adam de Kilconath.
 Robert de Brus, ob. 1304, s. p. Robert de Brus, earl of Carrick, and afterwards king of Scots.

Adam, of Skelton,—(his issue not continued.) Eufemia, $\overline{\text{m}}$ Robert Bruce, (the first) of Annandale, ob. 1199.
 1. Robert, mar. Isabel, natural dau. of William, k. of the Scots, ob. vi. pat. s. p. 2. William, ob. 17 k. John, 1216. $\overline{\text{m}}$.
 Robert Brus, (the second) of Annandale, ob. circ. 30 Hen. III., 1252. $\overline{\text{m}}$ Isabel, dau. of David, earl of Huntingdon.



^a *Quære* a wife Christiana, who survived him? named in Burns's Cumberland, (vol. ii. p. 198), widow of Thomas Lascelles, and daughter of — Ireby.

BRYAN.—(24 EDW. III.)

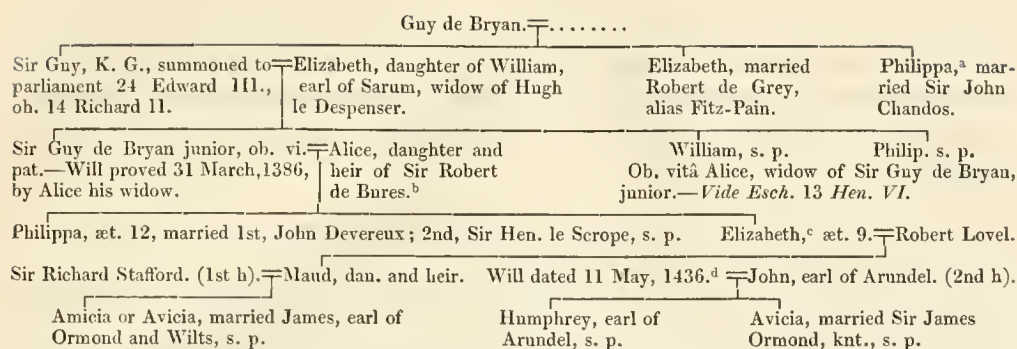
THE early part of the genealogy of this family is very contradictorily given in the several pedigrees relating to it; but as no parliamentary barony was acquired by it before the reign of Edw. III., it is not necessary to endeavour to reconcile the discordant statements.

Guy de Brian, son and heir of a preceding Guy, was first summoned to parliament the 24 Edw. III., and from thence to the 13 Ric. II., the year after which he died.* During his life he was a very eminent and distinguished person and military commander, was created a knight of the garter by king Edw. the III., and was in great favour with that warlike monarch. He had issue a son Sir Guy de Bryan, junr., who died in his lifetime, leaving two daughters his co-heirs, and co-heirs to their grandfather the baron at the time of his death, the 14 Ric. II. Of these daughters, Philippa the eldest, married first, John, son of Sir John Devereux, knt.; and secondly, Sir Henry le Scrope, knt., but had no issue. Elizabeth, the youngest daughter, married Robert, son of Sir John Lovel, knt., between which daughters the estates were divided.†

* Esch. 14 Ric. II., no. 8.
† Dug. Bar. Vol. ii., p. 153-3.

Here it is to be observed, that Sir Guy de Bryan the baron had two sisters, viz. Elizabeth, who married Robert Fitz-Pain; and Philippa, who wedded Sir John Chandos, neither of whom could have any pretension to the barony, as not being descended from the baron; as such, the attributing the barony of Bryan to the Percy family is erroneous; and consequently it cannot be vested in the duke of Northumberland, though flatteringly ascribed to him by various peerage writers: but even had the barony been one descendable to the house of Percy, it would have been forfeited by the attainder of Thomas the seventh earl of Northumberland; and if not forfeited, would, with the barony of Percy and other baronies, have fallen into abeyance between his five daughters and co-heiresses, from none of which the present duke is descended.‡

‡ Vide Percy.



^a There is said to have been another sister Margaret, who married John Erleigh, probably of the half blood.

^b Her portraiture in brass, in Aketon church, in co. Suff. Ob. 7 March, 13 Hen. VI., Elizabeth, late wife of Robert Lovel, her heir, æt 48.—*Inq. at Glouc.*

^c Called Alicia in *Esch.* 35 Hen. VI., No. 18.

^d In her will dated 11 May, 1436, she mentions Humphrey her son; and leaves to *Avice*, her daughter, wife of Sir James Ormond, knight, her French hook, and desired to be buried in the Abbey of Abbotshury.—Lodge, in his *Peerage of Ireland*, says that James Butler, earl of Ormond and Wiltshire, married to his first wife Avitia, daughter to John earl of Arundel, heir to her brother Humphrey; and to his second, Avicia, daughter of Sir Richard Stafford, a great heiress.

BULLEN.—(7 HEN. VIII.)

THOMAS, son of Sir William Bullen, (or Boleyn) of Blickling in the county of Norfolk, by Margaret, daughter and co-heir of Thomas Butler, earl of Ormond, who from the 11 Hen. VII. to the 6 Hen. VIII. had been summoned to parliament among the barons of England, by the designation of *Thomas Ormond de Rochford, Chev'*, and grandson of Sir Geoffrey Bullen, (Lord Mayor of London) by Anne his wife, one of the daughters and co-heirs of Thomas lord Hoo, and Hastings;* had summons to parliament among the barons of the realm the 7 Hen. VIII. by the title of *Thomas Bullen de Ormond Chev'*. In the 21 of the same reign he had summons as Thomas viscount Rochford, and in the 25 Hen. VIII. as Thomas earl of Wiltshire,† the king having created him earl of Wiltshire to the heirs male of his body, and of Ormond to his heirs general.‡

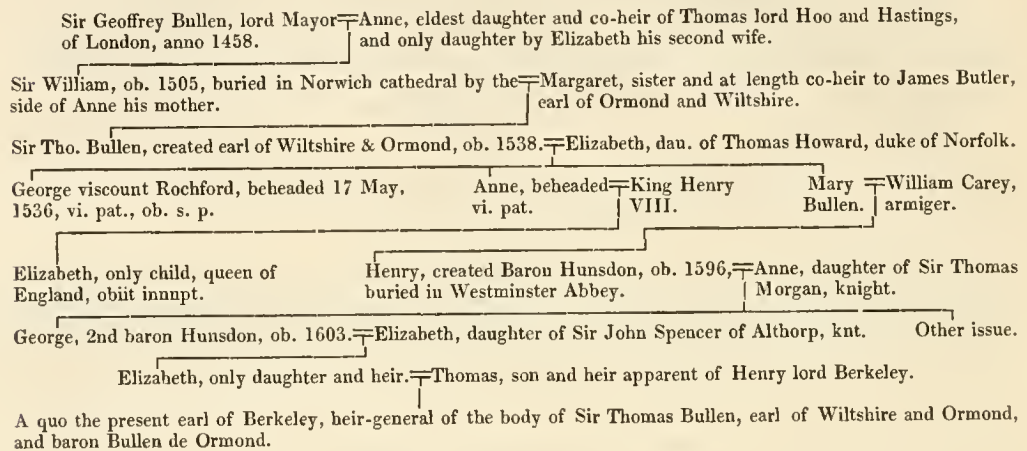
He married Elizabeth, daughter of Thomas duke of Norfolk, and died the 30 Hen. VIII., having had issue George viscount Rochford, his only son and heir apparent; Anne, the unfortunate wife of king Hen. the VIII.; and Mary, who married William Carey, esq., who by her was father of Henry, created lord Hunsdon by his cousin queen Elizabeth.

George viscount Rochford was one of the most accomplished noblemen of the court, and had summons to parliament in the lifetime of his father, but fell a victim with his sister queen Anne to the sanguinary jealousy of the libidinous king. He was com-

* Dug. Bar. vol. ii. p. 306.

† Dug. Lists of Sum.
‡ Pat. 21 Hen. VIII., p. 2.

mitted to the tower the 2nd of May, arraigned and beheaded the 17th of the same month, anno 1536. He married Jane, daughter of Henry, eldest son and heir apparent of Henry Parker lord Morley, a most infamous woman, but died without issue, leaving his father to lament in deep sorrow, and melancholy, the execrable immolation of his two accomplished children.



BULMER.—(16 Edw. III.)

RALPH DE BULMER, son of John de Bulmer, by Theophania his wife, one of the daughters and co-heirs of Hugh de Morewyke, reputed a baron in the county of Northumberland, had summons with the earls and barons, equis et armis, to a great council at Newcastle-upon-Tyne, the 1 Edw. III., and after to several parliaments from the 16th to the 23rd of the same reign;* he died the 31 Edw. III., leaving

* Dugd. Bar. and Lists of Summ.

Ralph Bulmer, his son and heir, aged sixteen, who the 36 Edw. III. making proof of his age, and performing his homage, had livery of his lands, but died about four years after, the 40 Edw. III., without having been called to parliament, leaving his wife Margaret surviving, and Ralph his son and heir little more than twelve months old; but neither he, nor any more of the family ever had summons to parliament, though the male line long continued, till Sir John Bulmer, who was concerned in the pilgrimage of grace, was attainted;^a but Sir Ralph his son, was restored, which

Sir Ralph Bulmer married Anne, daughter and heir of Sir Thomas Tempest of Brough, and died leaving only female issue, seven or eight daughters, whereof he only

^a He was hung at Tyburne, and his wife burnt in Smithfield.—(Vide F. Thynne's Chronicle.)

acknowledged three, viz: Joan, who married Francis Cholmley, of Roxby, s.p.; Frances, who married — Constable, of Cliffe, and had issue; and Milicent, who wedded Thomas Grey of Barton; but the other daughters, Hutchinson in his History of Durham asserts, he would not acknowledge.

BURGH.—(1 EDW. III.)

WILLIAM DE BURGH had summons to a parliament to be holden at York, the 1 Edw. III., and to another parliament in the following year,* but never after, nor any of his descendants, if he left issue; but who he was no mention is made by Sir William Dugdale, in his Baronage, the name only appearing in his Lists of Summons. * Dug. Lists.

On referring to the account of the De Burgh family in Lodge's Irish Peerage, it is stated that Richard de Burgh, second earl of Ulster, by Margaret his wife, daughter to John de Burgh, baron of Lanvallei (son of John, son of John, son of Hubert de Burgh, earl of Kent,) had five sons, whereof William the fifth son died after the year 1337, which leads to a surmise that he might be the William summoned in the 1 and 2 Edw. III., annis 1327-8. William de Burgh, his nephew, (son of his elder brother John, who died vitâ patris earl Richard,) became the third earl. He was born in 1312, so that he could not be above fifteen years old at the date of those summonses, a period rather too early to suppose they were addressed to him; yet Lodge says, he was knighted at London on Whitsunday, 1328, and the next year sat in the parliament holden in Dublin. He was assassinated in June 1333, being then only twenty-one years of age. His mother was Elizabeth, third daughter of Gilbert de Clare, earl of Gloucester, by Joane of Acre, his second wife, daughter of king Edw. I., so that he was nearly allied to king Edw. III., and in such respect might obtain so premature a mark of honour.

BURGH, OR BOROUGH.—(3 HEN. VII.)

THOMAS BURGH, or Borough, (son of Thomas by Elizabeth his wife, one of the daughters and co-heirs of Sir Henry Percy, son of Sir Thomas Percy by Elizabeth his wife, daughter and co-heir to David de Strabolgi, earl of Athol† in Scotland)^a was summoned to parliament the 3 Hen. VII., as *Thomas Burgh, Chevalier*, and had further summons to the 11 Hen. VII., shortly after which he died. Edward his son and heir does not appear to have had the like summons. He married Anne, daughter and co-heir to Thomas lord

^a By this alliance the manor of Gainsborough came to the Percy family; and from thence to the Burgh's or Borough's.

† Vide Athol.

* Vide Banks' Dorm. & Ex. Bar., vol. i. p. 270.

Cobham, of Sterborough, and thereby acquired to his heirs a claim to that barony;* by her he had issue Thomas, the next baron, summoned to parliament from the 21 Hen. VIII to the 6 Edw. VI., whose son William succeeded to the barony, and was summoned from the 1 queen Mary to the 1 queen Elizabeth. Thomas his son was summoned from the 5 to the 39 queen Elizabeth. Robert his son and heir dying young left his sisters his co-heirs, and the baronies of Cobham of Sterborough and of Burgh have ever since remained in abeyance between their descendants. Of these sisters, Elizabeth married George fourth son of the lord Cobham, and is represented by the heirs-general of Alice Brooke, who married Sir William Boothby; Anne married Sir Drew Drury; and Frances, Francis Copping, Esq., whose descendant sometime since took the name of Burgh by royal license; and Catherine married Thomas Knevet, esq., represented by the present lord Berners and the other co-heirs of that barony.

It is here to be remarked, that Dugdale asserts that Thomas, the fourth lord Borough, married Elizabeth, daughter of Sir David Owen, and in the 34 Hen. VIII. obtained a special act of parliament to bastardize her issue, as being begotten by some other person, but on referring to the act, it appears that they were described as the children of Sir Thomas Borough, then deceased, thereby manifesting that it was his eldest son Thomas, who died in his lifetime, who married the said Elizabeth, and not he himself; the object therefore of the act was to bar the succession of the said children upon his decease.

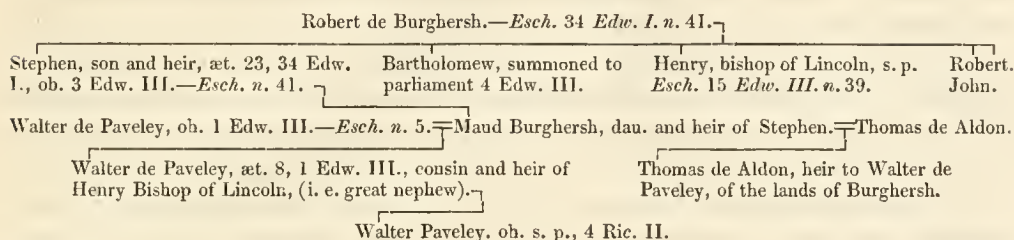
BURGHERSH.—(32 EDW. I.)

ROBERT DE BURGHERSH, warden of the Cinque Ports, temp. Edw. I., had summons to parliament the 32 and 33 of that reign, if they are to be considered regular writs. He died the following year, leaving Stephen his son and heir, who never was summoned.

Bartholomew Burghersh, son of Stephen, married Elizabeth, one of the daughters and co-heirs of Theobald de Verdon, a very great and powerful baron, and thereby brought into his family a co-inheritance to that title. He had summons to parliament from the 4th to the 28 Edw. III. He was succeeded by his son and heir, another Bartholomew, who had summons only in the 41 and 42 Edw. III., and died the year following, leaving Elizabeth, his sole daughter and heir, married to Edward lord Le Despenser, with which barony that of Burghersh thereby became united; but as the barony of Le Despenser became afterwards attainted, all the other dignities united in it were forfeited, and unless there was a reversal of the attainder, they, strictly speaking, now remain so extinguished.—(Vide Despenser.)

The barony of Burghersh, now in the earl of Westmorland, was not created by writ, but by patent, with limitation to issue male.

Though Stephen has been made the father of the first Bartholomew de Burghersh, by following Dugdale's account of the family, there is reason to believe the subsequent descent is the most correct.



Besides Bartholomew de Burghersh, before noticed, there was a Robert de Burghersh, probably brother to Bartholomew, and to Henry the bishop, at whose feet he was buried in Lincoln cathedral. He had a son Bartholomew, buried at Lincoln, where they founded a grammar school for five priests, and five poor scholars. There was likewise an

Henry de Burghersh, a knight in the 21 *Edw.* III.,* who married Isabel, one of the sisters and co-heirs of Edmund de St. John, of Basing in com. Southampton, and died the 23 *Edw.* III., leaving Bartholomew his brother and heir, æt. 26, and Isabel his wife surviving, who afterwards married Lucas de Poynings.

* Dugd. Bar. Vol. II. p. 36.

Of this family, (continues Dugdale)† was John de Burghersh, who married Maud, † Ibid. one of the daughters and heirs of Edmund Bacon of —, in com. Essex, and died before the 31 *Edw.* III., leaving a son John, then in minority, who claimed to be cousin and heir to William de Kerdeston, his grandfather; but this claim being controverted by William de Kerdeston as son and heir of the said William, he the son prevailed therein. This John died circ. 19 Ric. II., leaving by Ismania his wife, daughter of — Hanham, in com. Glouc. two daughters his co-heirs, viz. Maud, who married Sir John Grenevil, knt.; and secondly, Sir John Arundel; and Maud the wife of Thomas Chaucer. But none of this line of Burghersh had ever summons to parliament.

BURNELL.—(5 *Edw.* II.)

EDWARD, son of Philip Burnell, of a very ancient family, was summoned to parliament from the 5 to the 8 *Edw.* II., and died the following year s.p., leaving Maud, then the wife of John de Handlo, (and widow of John Lovel of Tichmersh) his sister and heir, on whom he settled his baronial lands, and whose descendants thereupon assumed the name of Burnell.‡

‡ Vide Handlo

HANDLO BURNELL.—SECOND BARONY.—(24 EDW. III.)

NICHOLAS, second surviving son of John de Handlo and Maud Burnell his wife took the surname of Burnell, and by that title had summons to parliament from the 24 Edw. III. to the 6 Ric. II., when he died, leaving Hugh his son and heir, æt. 36 ;* which

* Dug. Bar.
Vol. ii. p. 62.

† Ibid.

Hugh, second baron Burnell, had summons from the 7 Ric. II. to the 8 Hen. V., in which year he died. He married, according to Dugdale,† Joice, daughter of John Botetourt, grandchild and heir of Sir John Botetourt, and had issue a son Edward,^a who died in his lifetime, leaving by Alice, daughter of — lord Strange, three daughters, co-heirs to their grandfather, viz. Joice, æt. 24, who married Thomas Erdington, junr. ; Catharine, æt. 14, who married Sir John Ratcliffe ; and Margaret, æt. 11, who became the wife of Edmund, son of Sir Walter Hungerford, of Down Ampney, knt., of which Edmund descended the family of Dunch, hereafter mentioned.

BURNELL.—THIRD BARONY.—1658.

FROM the time of the death of Hugh lord Burnell, the 8 Hen. V., the barony remained in abeyance, till in 1658, its name was revived in the person of Edmund Dunch, who married Bridget, sole daughter and heir of Sir Anthony Hungerford, of Down Ampney, in the county of Wilts, lineal heir of the body of Edmund Hungerford, who married Margaret, one of the three granddaughters and co-heirs of Hugh the last lord Burnell. This

‡ Noble's
Mem. of Crom-
well Fam. Vol.
ii., p. 195.

Edmund Dunch was son and heir of Sir William Dunch, by Mary, youngest daughter of Sir Henry Cromwell, grandfather to the protector Oliver,‡ by which alliance he was nearly related to him, and much beloved and respected by him. The protector created him baron Burnell, of East Wittenham, in the county of Berks,^b to his heirs male for ever, teste 26 April, 1658 ; a title to which his wife had an unexceptionable claim, and as such the creation was not a disparagement to Cromwell's conferring on him the dignity, any more than that of creating colonel Charles Howard, baron of Gillesland and viscount Morpeth. After the restoration he had expected his patent to have been confirmed, but his influence was not like that of the Colonel, who was re-created into the

^a In the claim of Mr. Norborne Berkeley to the barony of Botetourt, it seems to have been there considered that this Joice Botetourt died s.p., so that Edward must have been a son of Hugh lord Burnell by some other wife, for otherwise he would have had a preferable claim to that of Mr. Norborne Berkeley.

^b His seat was not at East, but at Little Whittenham, at which place are many monuments of the family.

same Cromwellian honours. The name of his son Hungerford Dunch, was however set down for a knight of the Royal Oak, had that institution taken place.*

* Banks's
Hon. Anglic.

In considering the legality of the peerages created by Cromwell, much observation may be made. It has ever been deemed a vested power in the sovereign *de facto*,† to create honours; and incumbent on the people to obey the ruling prince, in possession of the government. The kings Henry IV., V., and VI., were usurpers; they were declared so by parliament, and they were attainted:‡ but the titles conferred by them were never declared void. Richard III. was an usurper, but he created John lord Howard, duke of Norfolk; and his son, earl of Surrey. King William III., was not king *de jure* of inheritance, he was merely so by the force which compelled king James to retire; yet he conferred numerous honours remaining at this day. Upon a parity of argument, or reasoning, it may be asked, if the restoration of Cha. II. cancelled all the acts of prerogative power, which Cromwell as protector of the Commonwealth of England was duly authorized to exercise, what would be the consequence of re-action upon the restoration of the right heirs of the Stuart family? The government was conferred upon Cromwell by the people, the fountain of power; but the so doing has been called rebellion, and that great man an usurper. Admitting this to be true, what then was the revolution of 1688? The term may sound better than rebellion, yet in act and fact, the one is synonymous with the other, and the same opprobrious denomination of usurper respectively applicable. However what is in the womb of time no one can tell or foresee.

† Act of Parl.
11 Hen. VII.

‡ Pryne's
Abridg. of
Tower Records

BURNELL BARONY.

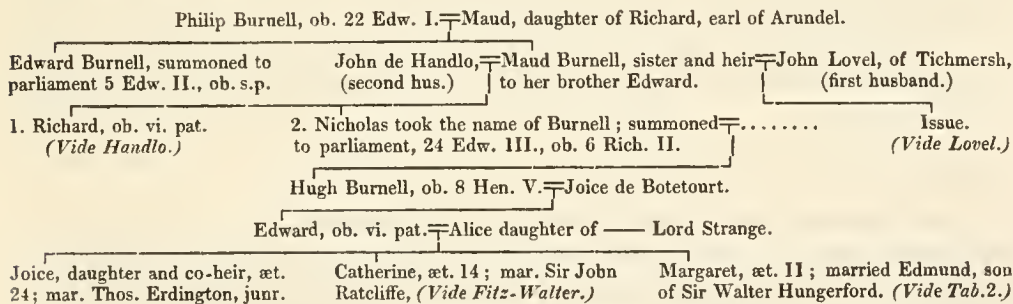
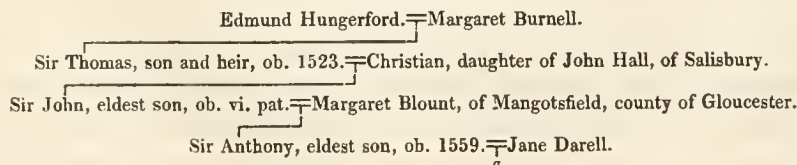
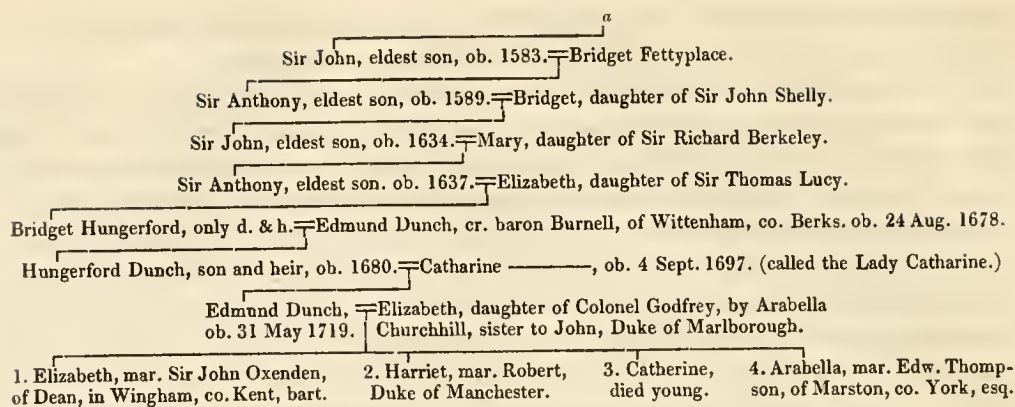


TABLE II.





N.B.—1, 2, 4. See these daughters named in the Journals of the House of Lords, Vol. xxi., p. 170.

BUTLER OF SUDLEY.—(VIDE SUDLEY.)

SIR WILLIAM DUGDALE in his Baronage, asserts that William Boteler, or Butler, who married Joan, sister and heir to John lord Sudley had summons to parliament the 42 and 43 Edw. III.; but on referring to the List of Summonses, it appears that it was his half brother William Boteler, of Wemme, who was summoned in those years, and consequently that he never was at all summoned. This William, by the said Joan Sudley, his wife, had issue a son

Thomas Boteler, who the 4 Ric. II., making proof of his age, had livery of the lands of his mother's inheritance; but was never summoned to parliament; he died the 22 Ric. II., leaving

John Boteler, his son and heir, who never had summons, and dying s.p., was succeeded in the inheritance by his brother

Ralph Boteler, who became a person of great eminence in his time, so much so, that in September, the 20 Hen. VI., he was created a baron of the realm, by the title of lord Sudley, of Sudley, in the county of Gloucester, to hold to himself, and the heirs male of his body.* Although a strenuous supporter of the House of Lancaster, yet upon the fall of Hen. VI., he obtained so much favour from king Edw. IV., as to have the king's letters patent to excuse him from attending parliament during his life.† But afterwards the king caused him to be attached and brought to London, when it is asserted that as he was on his way, he looked back from a hill upon Sudley castle, and exclaimed "*Sudley castle thou art the traitor not I.*" Dying without surviving issue, his barony by patent became extinct: but whatever claim he might have to the ancient barony of

* Pat. Rot. 20 Hen. VI. m. 28, p. 1.

† Rot. Pat. 1 Edw. IV. p. 3, m. 24. Vide Rot. Parl. Vol. vi. p. 227.

Sudley by writ, descended upon his sisters and co-heirs, whereof Elizabeth married Sir Henry Norbury, and Joan, the other, Hamon Belknap, esq.

He had two sons, of which Ralph died young; and Thomas married Eleanor, daughter of John Talbot, first earl of Shrewsbury, but died *vi. pat. s.p.*, leaving the lady Eleanor, his wife surviving, who was the lady which king Ric. III. pretended his brother Edw. IV. had been married to before, and at the same time that he contracted himself to the lady Elizabeth Grey.

BUTLER, OF MORE PARK.—(31 CAR. II.)

THOMAS, eldest son of James Butler, first duke of Ormond, was summoned to parliament 31 Car. II., as baron Butler, of More Park, in the county of Hertford. He died *vi. pat.*, leaving James, his son and heir, who succeeded his grandfather as second duke of Ormond, in 1688, and was afterwards attainted in 1715, when all his honours became forfeited.

CAILLI.—(2 EDW. II.)

THOMAS DE CAILLI was summoned to parliament the 2, 3, and 4 Edw. II., and dying the 10 Edw. II., *s.p.*, the barony, if any was created by the said writs of summons, became extinct. He was the son of Sir Osbert de Cailli, by Emme, eldest sister and co-heir to Robert de Tatshall, and thereby obtained the manor of Buckenham in Norfolk, which had come to the Tatshall family, by marriage with one of the four co-heirs of Hugh, the last Albini earl of Arundel.—(*Vide Tatshall.*)

CAMOIS.—(49 HEN. III.)

RALPH DE CAMOIS was summoned to that parliament which was called in the king's name by Simon de Montfort, the 49 Hen. III.; but this summons cannot be esteemed the creation of any descendable barony, for it did not comprehend the chief body of the earls and barons, but only a few, and those not the king's friends. John his son and heir never had summons; but Ralph de Camois, his son, had summons from 7 Edw. II., to the 9 Edw. III. Thomas son of Ralph never was summoned, whose son and heir apparent, Ralph, died *vi. pat.* Thus there was a dormancy from 9 Edw. III., to the 7 Ric. II., when

Thomas de Camois, son of John, represented to be second son to Ralph, summoned the 7 Edw. II., was called to parliament, and had summons from the said 7 Ric. II., to the 8 Hen. V.; which, if a creation at all, must be considered as one *de novo*, for there is no proof of a sitting in the person of his grandfather Ralph, summoned the 7 Edw. II., whose son was never at all summoned.

Thus it would appear that the summons to Thomas de Camois was like others customary in those days, not meant as a creation of a personal descendable honour, but as incident to a tenure in capite, where the king *ad arbitrium suum*, could summon any particular tenant for advice in parliament, without being obliged to call his heirs and successors in descent.

This Thomas had a son Richard who died before him, leaving a son Hugh heir to his grandfather, but who died in minority, 4 Hen. VI., s.p., when his sisters, Margaret, who married Ralph Rademill, and Eleanor (or Alianora) who married Roger Lewknor, became his heirs.

Thus, from the 4 Hen. VI., to 1838, a period upwards of four hundred years, this barony, if it ever was one descendable, undivested of territorial possession, has remained to this age of old peerage claiming, dormant; and has only recently been thought of; political influence most probably inducing a claim thereto. After a long investigation before the lords' committees of privileges, it was resolved to be in abeyance among divers co-heirs, descended from the before named Margaret Rademill, and Eleanor Lewknor. Of these, Thomas Stonor, of Stonor, co. Oxon., esq., a roman catholic gentleman of very ancient family, descended from Margaret Rademill, was by her majesty queen Victoria selected to have the barony, and the abeyance was determined accordingly, in his favour.

The other co-heirs descended from Margaret Rademill, were Anthony George Wright, who had taken the name of Biddulph; Henry L'Estrange Styleman, of Hunsstanton, co. Norfolk, esq.; and Sir Jacob Astley, of Melton Constable, bart., now lord Hastings.

And those from Eleanor (or Alianora) Lewknor, were Harriet Anne, baroness Zouche and her sister Katharine, wife of Capt. G. R. Pechell, R. N., and Sophia, widow of the chevalier Ferdinand de la Cainea, sole surviving daughter and heiress of Sir Richard Mill, the sixth baronet.

CAMVILLE.—(22 EDW. I.)

Geoffrey de Camville had summons the 22 Edw. I., to attend the king at Portsmouth, and summons to parliament from the 23 to the 35 Edw. I., and died 2 Edw. II., being then seised in right of Maud his wife, daughter and heir of Guy de Bryan, by Eve,

his first wife, daughter and heir of Henry de Tracy, of the lands in barony of the said Henry de Tracy, which came to her in partition of that barony.

William de Camville his son and heir had also summons to parliament the 2 and 4 Edw. II., but not afterwards. He had only female issue; whereof the record* thus recites, viz:—"Pro Matilda que fuit uxor Ric'i de Vernon, et Eleanora sorore ejus, filibus et hered' Will'i de Campvill, pro Man' de Lanstephen, in com. Carnar' in Wallia'." Another authority represents,† that he had five daughters his co-heirs, viz:—first, Maud the eldest, wife of Sir William Vernon, of Haddon, co. Derby; second, Isabella, married first to Sir Richard Stafford, and after to Gilbert de Bermingham; third, Eleanor; fourth, Nichola wife of John St. Clere; fifth, Catharine, wife of Roger (or Robert) Griesly.—(*Esch. Wallie anno 12 Edw. III.*)^a

* Rot. Pat. 11 Edw. III. m. 27, pars. 2.

† Dr. Vernon in a MS. in Bibl. Mr. Astle.

However, whether he had only two or five daughters, his barony, if any was created, by either the writs of his father, or those continued to himself, as it would seem in right of succession, has continued ever since his death unclaimed; though the heirs representatives of the aforesaid two or five daughters might have as good a pretension to the dignity as the heirs of Camois. Length of time is no bar to the contrary,—the proof of a sitting may be different; but, though an entry that a certain person summoned was appointed a trier of petitions is evidence of his being present, it is no evidence that the other persons named in the same writ were not also present, for by whom were the triers nominated, but by other earls and barons then assembled? and they liable to be fined for non-attendance.‡

‡ Vide Stafford of Clifton.

CANTILUPE.—(28 Edw. I.)

WILLIAM DE CANTILUPE, son and heir of Nicholas who married Eustachia, sister,^b and at length heir, according to Dugdale, of Hugh Fitz-Ralph, lord of Gresely, in the county of Nottingham, and heir also of Peter de Hay, was summoned to parliament from the 28 Edw. I. to the 2 Edw. II., inclusive, also to the coronation of Edw. II., and died the year following, leaving a son William who died s.p., and Nicholas heir to his brother; which

Nicholas de Cantilupe had summons to parliament from the 11 to the 28 Edw. III., and in the 18 Edw. III. was appointed one of the barons triers of petitions.§ He died the 29 Edw. III., according to one inquisition, leaving William his son and heir then thirty years of age; and according to another inquisition he died 45 Edw. III., William

§ Rot. Parl. Vol. ii. p. 147.

^a Erdswic gives him only one daughter, Maud, married first to Vernon, and after to Stafford. Burton gives two in his History of the county of Leicester.

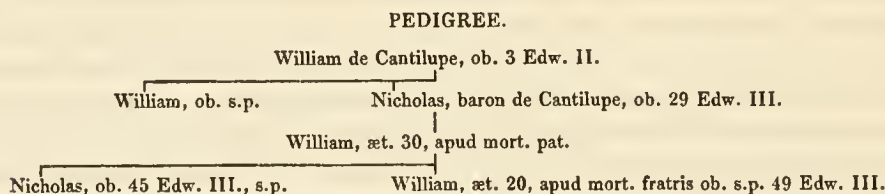
^b Eward, daughter of Hugh Fitz-Ralph de Gresely.—(*Origin. 45 Hen. III.*)

his next heir then twenty years old. But the first seems the most correct, as Joan his widow is said to have founded a chantry for the good of his soul. However, in whatever year he died, neither his son nor any of his descendants ever had further summons to parliament, of whom no mention is made by Dugdale; yet, in accordance with late decisions, this barony is a claimable one, a sitting being on record of Nicholas de Cantilupe, as before mentioned in the 18 Edw. III.

The family of West descended from Dr. Gilbert West, who married Mary, sister to Sir Richard Temple, lord Cobham is considered to be an heir to this barony.^a

The title of Cantilupe in the earl Delawarr has not any connection with this barony.

Having before observed that there were two inquisitions appearing at variance with each other, the following pedigree may explain the same, showing that the last inquisition applied to Nicholas the grandson of the first named Nicholas.



After the death of William de Cantilupe, s.p., the 49 Edw. III., upon a partition of lands in the reign of Ric. II., the manor of Middle-Clayton and others in the county of Buckingham, &c., passed to the Zouches.—(*Rot. Fin.* 14 Ric. II., m. 12, *Ebor.*) But this seems in virtue of some entail in default of male issue, as the record before cited manifests, that Thomas Astley was cousin and heir of William de Cantilupe, but as heir-general in the female line.

The first William de Cantilupe, in the 29 Edw. I., was one of those barons whose seal was affixed to the letter then written to the pope, being styled, "*Willielmus de Cantilupo Dominus de Ravensthorpe.*"

CHAUVENT OR CHAMPVENT.—(28 Edw. I.)

PIERS sive Peter de Chauvent is mentioned to have been summoned to two parliaments in the 28 Edw. I., the one to meet at London, the other at Lincoln. In the parliament at Lincoln he is named as one of those barons, who though summoned, did not

^a Rex confirmavit Thomæ Astley arm. consanguineo et heredi Willi de Cantilupo per ampla libert' infra omnia dominia maneria et hereditam' sua infra regnum dicto Will'o concess per 24 Chart. Hen. III.—(*Pat. Rot.* 26 Hen. VI., p. 2, m. 27.)

affix their seals to the letter then sent to the pope touching the supremacy of England over the realm of Scotland. But after this period his name does not appear in any subsequent writs of summons, nor is any further account to be found of him as to any wife or issue. It is to be observed that in the writ of summons of the 26 Edw. I., to the earls and barons to attend at Carlisle *equis et armis*, they are particularly distinguished by their ranks, viz., *comites et barones*; among the latter whereof is the name of *Piers de Chauvent*.

CHANDOS.—(11 EDW. III.)

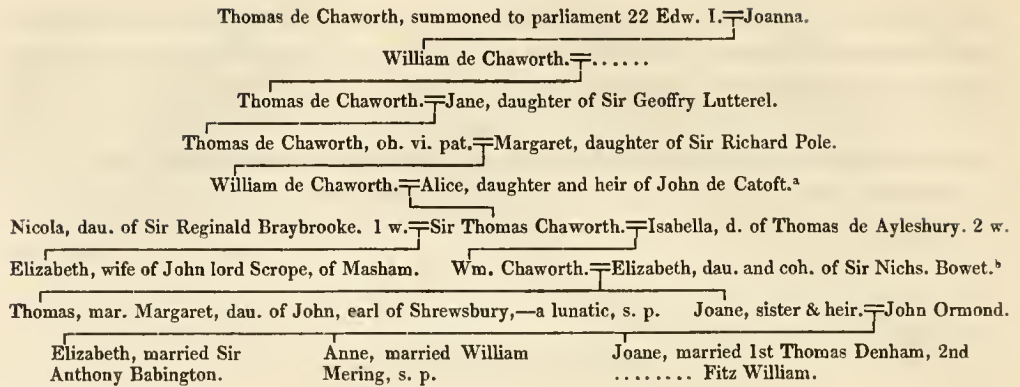
ROGER DE CHANDOS, whose ancestors are said to have holden the barony of Snodhull, had summons to parliament from the 11 to the 29 Edw. III., about which time he deceased, leaving Maud his wife surviving, and Thomas his son and heir who never had the like summons to parliament. He died the 49 Edw. III., æt. 43, when by the inquisition taken it was found that John Chandos was his son and heir.

This John Chandos was a knight, and died the 8 Hen. IV., 1407, s. p., leaving Alice, the wife of Thomas Brugge, (or Brydges as supposed) and Margaret the wife of Nicholas Mattesden, his nieces and coheirs, being daughters of his sister Margaret who died before him, widow of Sir Thomas Berkeley, of Coberly, knight.

The heir-general of this barony, if it is to be considered one, is the duke of Bedford, through Brugge or Brydges, provided the family of Brydges, created baron Chandos by patent, and afterwards advanced to the title of duke of Chandos, be descended from the said Thomas Brugge and Alice Chandos his wife.

CHAWORTH.—(22 EDW. I.)

THOMAS DE CHAWORTH, son of William by Alicia, daughter of Robert, and sister and co-heir (with Joane her sister, wife of Robert de Latham of the county of Lancaster) to Thomas de Alfreton, had summons to parliament among the barons of the realm, in the 22, 25, and 27 of Edw. I., but was not summoned to the parliament at Lincoln, 29 Edw. I., wherein the famous letter to the pope was then agreed upon and subscribed, although his seal was thereto affixed, and he on that occasion was designated *Thomas de Chaurcis de Norton*. But neither he nor any of his family had the like summons, though they long flourished in the counties of Derby and Nottingham.



^a Co-heir to the barony of Basset of Drayton.—(*Vide Basset of Drayton.*)

^b Margaret, sister to this Elizabeth Bowet, married John, next brother to William Chaworth.

CHENEY.—(3 HEN. VII.)

SIR JOHN CHENEY, (son of John Cheney of Thurland in the isle of Shepey, by Alianore his wife, daughter of Sir Robert Shotisbroke, and sister to Margaret, duchess of Somerset), was in reward for his services at the battle of Bosworth, and on other occasions, created by Hen. VII. on his advancement to the throne, a baron of the realm, and summoned to parliament from the 3 to the 11 Hen. VII. Dying the year following s.p., his barony became extinct.

CHENEY, OF TODINGTON.—(14 ELIZ.)

HENRY CHENEY, son of Thomas Cheney, (nephew of the former baron) by Anne his second wife, daughter and co-heir of Sir John Broughton of Tuddington, or Todington,^a in the county of Bedford, was summoned to parliament from the 14 to the 31 queen Eliz., but dying s.p., his title also became extinct. His wife was Jane, daughter of Thomas lord Wentworth, and to her his estates passed on his decease, and were inherited by her relations.

^a This Sir John Broughton married Mary, daughter and heir of Thomas Peyvre, sixth in descent from Pauline Peyvre, who first built the so far famed house at Tuddington, temp. Hen. III., and whose descendants are mentioned in the second vol. of this work, *inter Barones Pretermissi*.—(*Vide Lyson's Mag. Brit., vol. i., p. 143, Bedford.*)

CHERLETON.—(7 EDW. II.)

JOHN DE CHERLETON having married Hawise, sister and heir of Griffin ap Owen, otherwise Griffin de la Pole, so denominated from his residence at *Pole*, commonly called *Welch Pole*, in her right among other lands obtained the lordship of Powys, in the county of Montgomery. He had summons to parliament from the 7 EDW. II. to the 27 EDW. III., inclusive.

John his son and heir had the like summons from the 28 to the 34 EDW. III., as *John de Cherleton*; and from the 36 to the 47 EDW. III., as *John de Cherleton de Powys*.

John his son and heir, by the same distinction, was summoned from the 2 Ric. II. to the 2 Hen. IV., inclusive, when he died s.p., leaving Edward his brother and heir, which

Edward, the fourth baron, was summoned from the 3 Hen. IV. to the 9 Hen. V., as *Edward Cherleton de Powys*. He died the following year, 1422, leaving his two daughters his co-heirs, viz. Joane the eldest, married to Sir John Grey, knt.; and Joice, who became the wife of Sir John Tiptoft, and according to Dugdale, was summoned to parliament by the title of *Lord Powys*. But of this there is not any evidence, as although he had summons to parliament, the writ was merely personal, without any reference to the designation of Powys: on the contrary, the lordship of Powys became the property of Joane the eldest daughter, and therefore not being in the possession of Tiptoft could not convey to him any pretence for being so summoned to parliament by that description. The first summons to Cherleton was personal, and if creative of a barony, it could only be by that description. But query how far the barony of Tiptoft became forfeited in Tiptoft, earl of Worcester.—(*Vide Tiptoft and Grey of Powys*.)

CLAVERING.—(28 EDW. I.)

ROGER FITZ-RICHARD was the first baron Warkworth, in the county of Northumberland, and by grant of Hen. II. had the manor or barony of Clavering in Essex.^a He married one of the daughters and co-heirs (as it is said) of Henry de Essex, feudal baron of Raleigh, and by her had Robert his successor, whose son John had several sons, whereof Hugh the second having the manor of Eure, was ancestor to the barons Eure of that name.

Roger Fitz-John, the eldest son, baron of Warkworth and also of Clavering, died

^a Rob'tus Fitz-Rogeri tenet Clavering de dono Reg' H. scd'i de feod' Hen' de Essex p' unu' milite'.—*Test. de Nev.* p. 269.

33 Hen. III., leaving his son and heir Robert, which Robert called Fitz-Roger, had summons to parliament from the 23 Edw. I. to the 3 Edw. II., in which year he died, leaving John his son and heir, who took the surname of Clavering.

This John de Clavering had summons to parliament in the lifetime of his father, being summoned by the name of Clavering from the 28 Edw. I. to the 5 Edw. III.^a But it was his father who was one of the barons summoned to the parliament at Lincoln, and by the description of *Robert Fitz-Roger Dominus de Clavering*, affixed his seal to the memorable letter then subscribed by the barons to be sent to the pope, touching the supremacy of England over the realm of Scotland. This may tend to show that although John de Clavering had summons as before mentioned *vitâ patris*, yet the barony of Clavering was not in him at the time of his summons the 28 Edw. I. It is related by Dugdale that this John de Clavering being doubtful of having male issue, made a feofment to Stephen de Trafford, whereby he vested among other lands and hereditaments, the inheritance of his castle and manor of Warkworth in the said Stephen, conditioned to reconvey the same unto him the said John de Clavering for life, with remainder to the king and his heirs; which castle, &c., thereupon coming to the crown by default of male issue, were given by king Edward to the Percy family, now represented by the duke of Northumberland.

John de Clavering deceased about the 5 Edw. III., leaving an only daughter Eve (or Ela) his heir. She is stated* to have had four husbands, viz. first, Thomas de Audley, by whom she had not any issue; secondly, Ralph de Ufford, by whom she had issue;† thirdly, James de Audley, by whom also she had issue, viz. James, Peter, Avicia, and Hawyse;‡ fourth, Sir John de Benhall, but by him had not any issue. On her decease 45 Edw. III., she was interred in the Abbey of Langley, where her last husband Benhall was also interred. The barony has ever since remained unclaimed, or even pretended to be coalesced with any other, or merged in any superior title. Dugdale recites in his lists of summons that this John de Clavering was summoned to the parliament at Lincoln 29 Edw. I., but did not affix his seal to the letter then written to the pope.§

In a recently published work, entitled “*Collectanea Topographica et Genealogica*,” which assumes the correction of Dugdale’s errors, it doubts the four husbands of Eve de Clavering. It names the one *Thomas*, and not *Ralph* de Ufford, as recited by Dugdale, and other authorities; and it says that James, lord Audley, of Heleigh, was found her son and heir, by Thomas, lord Audley, her first husband, but as Dugdale states in the Audley family that Thomas died s.p., and was succeeded by his brother Nicholas, whose

^a He was summoned to Carlisle *equis et armis*, the 26 Edw. I., on which occasion those to whom the writ was addressed, are distinguished by their ranks, viz. *Comites et Barones*, in which latter class *John de Clavering* is named.

^b Dugdale under Clavering says she had issue both by Ufford and Audley; yet under Audley he states that Thomas de Audley died s.p., and was succeeded by his brother Nicholas de Audley.

* Blomf. Norf.

† Vide Ufford.

‡ Monast. Ang. p, 867.

§ Lists of Sum

name is contained in all the writs of summons, and who was father of James the next baron, this assertion appears not to be warranted.

The Norwich Monasticon,* gives the foundation of Langley Abbey, in the diocese of Norwich, to Robert Fitz-Roger de Claving, lord of Horsford, circ. anno 1198, and mentions the following persons to have been benefactors thereto, and there interred, viz., Sir John de Claving, buried in 1332, Dame Agnes Claving, Sir James de Audley, Dame Eve Audley, Sir Robert de Benhall, Sir Thomas de Ufford, knight, and Dame Jane, daughter of Sir Robert Ufford. Weaver adds others of the Ufford family, as will be noticed under that head.†

* P. 33, etiam
Weaver Fun.
Mon.

† Vide Ufford.

It has been mentioned that John de Claving made an infeofment by virtue whereof the castle of Warkworth, after his death was to revert to the king; this taking place, it may be considered that Warkworth being the barony from the tenure, whereof the writs of summons to Robert Fitz-Roger first were directed to him, they were writs of service, and not of creative nobility descendable in blood, undivested of the land territory, in which respect Warkworth ceasing to be possessed by his heirs, the barony became extinguished: a point which may apply to many other ancient baronies, whereof the tenants in capite, who were first summoned, had not the like summons continued to their descendants, of whom Dugdale, so frequently observes, that "*he does not make mention, by reason they were not reputed barons.*"

CLIFFORD, OR DE CLIFFORD.—(28 EDW. I.)

ROGER DE CLIFFORD married Isabella daughter and co-heir of Robert de Vipont, a great feudal baron, hereditary sheriff of Westmorland, and had a son John, who died in his lifetime; and another son Robert, who, the 13 Edw. I., being found cousin and heir to Ralph de Gauge, baron of Slesmouth, paid his relief, and had livery of the lands of that inheritance. In the 25 Edw. I., on the death of Richard Fitz-John, (a great baron in Essex), as son of Isabel, daughter and co-heir of Robert de Vipount, by Isabel his wife, sister and co-heir to Richard Fitz-John, he was found by inquisition to be one of the cousins and next heir to the said Richard Fitz-John.

This Robert de Clifford had summons to parliament from the 28 Edw. I. to the 7 Edw. II. (1313) and to the coronation of that king. In the 29 Edw. I., he was one of the barons whose seal was affixed to the letter then agreed upon in the parliament at Lincoln, to be written to the pope, on which occasion he was described, "*Robertus de Clifford, Castellanus de Appelby.*" He married Maud daughter and co-heir of Thomas, second son of Richard de Clare, earl of Gloucester. His successors continued to be summoned, till John de Clifford, the eighth baron from him, was attainted the 38 Hen. VI., and his honors forfeited.

Henry de Clifford, his son and heir, was afterwards restored in blood and honors, and had summons to parliament from the 1 to the 7 Hen. VII., and his son Henry was advanced to the dignity of earl of Cumberland, 18 June, 1525.

George, third earl of Cumberland, grandson of earl Henry, died s. p. m., leaving an only daughter Anne Clifford, who became heir to the barony, the earldom becoming extinct. This great heiress was twice married, but had issue only by her first husband Richard, earl of Dorset. She claimed the barony of De Clifford, in 1628, and her petition was appointed to be heard in the following session of parliament; but no further proceedings were made thereon, and she died without having any declaration made on her claim.

In 1691, Thomas Tufton, earl of Thanet, son, and ultimately heir of John, the second earl of Thanet, by Margaret, daughter, and eventually (on the failure of issue from her sister Isabella, countess of Northampton) sole heir of Richard earl of Dorset, by the said Anne Clifford, claimed, and was allowed the barony. He died in 1729, s. p. m. s., when the barony fell into abeyance between his daughters and co-heirs, viz: Catharine, wife of Edward, viscount Sondes; Anne, wife of Thomas earl of Salisbury; Margaret wife of Thomas Coke, earl of Leicester; Mary who married, first, Anthony, son of Henry Grey, duke of Kent, secondly John earl Gower; and Isabella, who married, first, lord Nassau Paulet, and secondly Sir Francis Delaval, K. B. But in 1734, the king was pleased to terminate the abeyance, and confirm the barony by patent, 13 Aug., 1734, to Margaret, the wife of the earl of Leicester. This lady dying without surviving issue, in 1775, the barony again fell into abeyance; but in the year following (1776) his majesty again terminated it in favour of Edward Southwell, son and heir of Edward Southwell, who married Catharine, sole daughter and heiress of Catharine Tufton, the wife of Edward viscount Sondes. He died in 1777, and his son Edward Southwell, second lord de Clifford, died s. p., in 1832, when the barony again fell into abeyance between his sister's representatives; and in 1833 was determined in behalf of Sophia, wife of ——— Russell, a commander in the R. N., as eldest co-heir to the late baron. It is to be observed that the titles of baron de Vipont, and de Vesey, have been attributed to the barons de Clifford, and earls of Cumberland; but those were never baronies created by any writ of summons, to render them descendable as personal honours; though the lands of them, in great part, were inherited by the Clifford family.

CLIFFORD.—(3 CAR. I.)

WHERE the eldest son of an earl is called up to parliament by writ, by a title not vested in his father, such writ operates as the creation of a new barony, and the person so summoned has no seat higher than the date of his writ:* thus upon the death of George

* Cruise on Dignities.

Clifford, third earl of Cumberland, s. p. m., the title of earl devolved upon his brother Francis, as the fourth earl; but the barony of De Clifford having been created by writ of summons descended unto Anne, the sole daughter and heir of earl George;* howbeit,

* Cruise on Dignities.

Henry Clifford, eldest son and heir apparent to earl Francis, was summoned to parliament *vitâ patris*, the 3 Car. I., by writ directed "*Henrico Clifford chev'r primogenito, Francisci comitis Cumb'*:" now the old barony of De Clifford, not being at this time in the father, the said writ of summons to the son could not operate otherwise than as a *new creation*. The said Henry afterwards became earl of Cumberland, and died leaving an only daughter, married to Richard Boyle, earl of Cork, in Ireland, who was the 20 Car. I., created by letters patent *baron Clifford, of Lanesborough*; and the 16 Car. II., earl of Burlington.

Richard Boyle, third earl of Burlington, in 1737, claimed the barony of *Clifford, created by the writ of 3 Car. I.*: and the house of lords resolved that he was entitled thereto. He died, leaving only female issue, which by marriage, carried this barony of Clifford into the family of Cavendish, duke of Devonshire, and is now vested in the present duke; but on his decease s. p. m., will fall into abeyance between the earl of Carlisle, and earl Granville.

CLIFTON.—(50 EDW. III.)

ROGER DE CLIFTON married Margery, sister and heir to Thomas de Caili,† a baron by summons 2 Edw. II., who died s. p. Her mother (as mentioned under Caili) was Emmie, one of the sisters and co-heirs to Robert de Tatshall, and carried to her husband Caili the manor of Bokenham, holden in grand sergeanty, in parcenery with other manors, parcel of the barony, and earldom of Hugh de Albini, earl of Arundell.‡

† Vide Caili.
‡ Vide Tatshall

John de Clifton, great-grandson of the aforesaid Roger, being seised of the manor and lordship of Bokenham and other considerable estates by the course of his inheritance, was most probably, in virtue thereof, summoned to parliament from the 50 Edw. III. to the 12 Ric. II., 1388, about which time he died, leaving a son and heir by Elizabeth his wife, one of the co-heirs to Ralph lord Cromwell, named Constantine, which

Constantine de Clifton had summons to parliament in the 17 and 18 Ric. II., but never after; wherefore, says Dugdale, "*I shall here put an end to my discourse of him*;" thus evidently showing that eminent baronagian did not consider a writ of summons as creative of a descendable personal honour, but merely a writ of service incident to a *tenure in capite, but ad arbitrium regis*. The said Constantine had issue a son John, and a daughter Elizabeth, wife of John Knevet.

John de Clifton, the son, married Joane, daughter and co-heir of Edmund de Thorpe, of Ashwell Thorpe in the county of Norfolk, by whom he had a daughter Margaret, who married Sir Andrew Ogard, whose son Henry was aged four years at his father's death, but most likely afterwards died young, as the Knevet family came to the possession of Bokenham, in whose heir general this barony may be considered to lay dormant, and for whom vide Cromwell of Tatshall.

CLIFTON, CROMWELL OF TATSHALL, AND BASSET OF WELDON.

Sir John Clifton, great-grandson of Roger de Clifton, by Elizabeth, daughter of Ralph lord Cromwell, (by Maud Margaret, daughter and at length heir of Sir Osbert de Cailli, by Eucme his wife, one of the sisters and co-heirs to Robert, baron of Tatshall; summoned to parliament from 50 Edw. III. to 12 Ric. II.; ob. 1388.) his wife, daughter and heir of John Bernake, great-grandson of Joane, one of the sisters and co-heirs to Robert, baron of Tatshall), and at length one of the co-heirs to the ancient harony of Cromwell of Tatshall.

Constantine Clifton, æt. 16, anno 1388, had livery of his lands 1393, summoned to parliament the 17 and 18 Richard II. Elizabeth, dau. of Robert lord Scales.—*Blomef. Hist. Norf. vol. i. page 376.*

Sir John Clif- Joane, dau. & co-heir to Elizabeth, aunt & heir to Margaret Sir John Knevet, grandson to Sir John
ton, ob. circ. Edmund de Thorpe, of Clifton, and at length sole heir to Knevet, by Eleanor his wife, one of the
1447. Ashwell Thorpe. John, the first Lord Clifton. coh. to Ralph, Lord Basset of Weldon.

Margaret, sole daughter and heir apparent, married Sir Andrew Ogard, knt., and died s.p.s. Sir John Knevet, (Mon. at Buckenham.) Alice, daughter and heir of William Lynnes, (Mon. at Buckenham.)

Sir William Knevet, attainted 1 Ric. III., but afterwards restored. Alice, daughter of John, brother to Reginald, Lord Grey, of Ruthyn.

Sir Edmund Knevet, drowned in a sea-fight, temp. Henry VIII. Eleanor, dau. of Sir William Tyrrel, knight.

Sir Thomas Knevet, standard-bearer to Henry VIII. Muriel, daughter of Thomas, duke of Norfolk. Edmund Knevet, married Jane, heiress of Lord Berners.—(*Vide Berners.*) Other sons.

1. Sir Edm. Joane, dau. of Sir 2. Ferdinando. 3. Henry Knevet, mar. Anne, dau. and heir of Sir Christopher Knevet. John Shelton. Pickering, and had issue Thomas lord Knevet, of Escrick.

Sir Thomas Knevet, ob. 22 Sept., 1569. Catharine, dau. of, earl of Derby. Anthony. Edmond. Henry.

Sir Thomas Knevet, ob. 1594. Catharine, daughter of Sir Thomas Lovel, of East Herling. Henry. John.

Sir Philip Knevet, created a baronet 22 May, 1611, ob. circ. 1634-5. Katherine, daughter and heir of Charles Ford of Butley Abbey, in co. Suffolk, Esq.

Philip, bap. 24 April, 1609.* William, bap. 28 June, 1610, bur. 1615.* Dorothy, bap. 15 Sept., 1611.* Katherine, bap. 2 June, 1614.* Robert, bap. 23 Jany., 1615.* John, bap. 1616.*

* Ex Reg. Buckenham, co. Norfolk.

CLIFTON OF LEIGHTON BROMSWOLD.—(7 JAC. I.)

SIR GERVASE CLIFTON was summoned to parliament from the 7 to the 12 Jac. I., as "*Gervase Clifton de Layton Bromswold, chev'r.*" He married Catharine daughter and

heir of Sir Henry Darcy, of Leighton Bromswold, and died in 1618, leaving Catharine his sole daughter and heir, who married Esme Stuart, lord Aubigny, and third duke of Lenox, in Scotland, and had issue a son George, whose daughter Catharine, by the death of her only brother Charles, sixth duke of Lenox, s.p., became heiress to the barony of Clifton.

She married Henry O'Brien lord Ibrachan, who died in the lifetime of his father, Henry earl of Thomond, leaving a daughter Catharine, who became heiress to her mother, and married Edward Hyde, earl of Clarendon. She claimed, and was allowed the barony of Clifton, in 1674. Her daughter Theodosia eventually became her heir, and marrying John Bligh, esq., afterwards earl of Darnley, carried the barony into his family, with which it now remains, coalesced with the earldom of Darnley.

CLINTON.—(27 EDW. I.)

JOHN DE CLINTON was summoned to parliament the 27 Edw. I.,^a but never after. He married Ida, eldest daughter and co-heir of William de Odingsells,* of Maxtock, in com. Warwick; which William was one of the co-heirs of the more ancient barony of Limesi. By her he had issue two sons, whereof, William, the second, was afterwards created earl of Huntingdon; but his successor was his eldest son. * Vide Odingsells, vol. ii.

John de Clinton, who had summons from the 6 to the 9 Edw. III., to the last writ *mortuus est* is added; showing he was then dead.

John his son was summoned from the 31 Edw. III. to the 21 Ric. II. He married Idonea, sister and co-heir of William baron de Say, which barony thereafter was attributed to his descendants.

William, his grandson, had similar summons from the 23 Ric. II. to the 9 Hen. VI., as had John his son from the 29 to the 38 Hen. VI.; but being attainted in the same year, his honours were forfeited: but he was shortly after restored in blood and honours, and was summoned to parliament the 1 and 2 Edw. IV. His son John was never summoned, and died in 1514, in which year Thomas his son was summoned, but died in 1517, leaving

Edward Clinton his son and heir, who, by queen Elizabeth, was advanced to the dignity of earl of Lincoln, from which period, till the death of Edward the fifth earl, the barony of Clinton continued merged in the earldom, the said Edward, fifth earl of Lin-

^a Dugdale, in his baronage, does not notice this summons, which renders it doubtful whether it applied to him, or to John his uncle, of Coleshill, who was then living: for he expressly states the said John was a knight of the shire for *Warwickshire*, the 29 Edw. I., which militates against his having been summoned as a baron the 27 Edw. I.

coln deceasing s.p., the earldom descended upon the next heir male; but the barony of Clinton became in abeyance between his aunts, or their representatives. Of these, Catharine married Sir George Booth, (afterwards lord Delamere,) and had an only daughter, Vere, who died unmarried, in 1717, aged seventy-four. Arabella married Robert Rolle, esq., from whose daughter Bridget, who married Francis Trefusis, esq., is descended the present baron Clinton. Margaret married Hugh Boscawen, esq., and had a daughter Bridget, her heir, who married Hugh Fortescue, esq., and was mother of Hugh Fortescue who was allowed the barony of Clinton, but died s.p., in 1751, whereby the barony again fell into abeyance, and so remained till it was allowed on petition to Robert William Trefusis, esq., who, in 1794 was summoned to parliament as baron Clinton, being descended from Bridget, only child from whom there is any issue remaining of Arabella, wife of Robert Rolle, esq., before mentioned.

WILLIAM CLINTON.—(4 EDW. III.)

WILLIAM DE CLINTON, second son of John, by Ida de Odingseles, had summons to parliament from 4 to 10 Edw. III.: after when, he was created earl of Huntingdon; but dying s.p., in 1354, his honors became extinct.

COBHAM.—(6 EDW. II.)

JOHN COBHAM, of Cobham in Kent, by his first wife, daughter of Warine Fitz-Benedict, had two sons, John his heir, and Henry of Rundell; and by his second wife, daughter of Hugh de Neville, a son Reginald, from whom sprang the Cobhams of Sterborough. John the eldest son was father of

Henry de Cobbeham, or Cobham, who had summons to parliament from the 6 Edw. II. to the 9 Edw. III. His son John, according to Dugdale's lists of summons, was called to parliament from the 16 Edw. III. to the 8 Hen. IV.; which long period of above sixty years, gives reason to believe that a descent has been omitted by Dugdale, which is indeed supplied by Hollinshead,^a who says that John the second baron, upon his death, was succeeded by his only son John, who had summons from the 1 Ric. II. to the 8 Hen. IV., sometimes with the addition of Kent: though Dugdale may be most correct, yet there is a degree of dubiety upon the point, especially as Hollinshead is supported by Vincent, a most esteemed, and considered a very accurate herald.

This John lord Cobham, who died in 1407, s. p. m., had a daughter and heiress

^a Vide Hollinshead's castrated sheets, p. 1503.

Joane, who married Sir John de la Pole, knight, and had issue an only daughter Joane, who married Sir John Oldcastle, knight,^a which Sir John had summons to parliament from the 11 Hen. IV. to the 1 Hen. V., *jure uxoris*, though the writs appear to have been directed "*Johanni Oldcastle, Chev.*" He however had the designation of lord Cobham, but being accused of a conspiracy against the king (being at that time one of the principals of the religious sect denominated Lollards) he had judgment of death pronounced against him, and was executed accordingly, circ. 1417.^b

By a former husband, Sir Reginald Braybroke, knight, the said Joane baroness Cobham,^c had two sons who died young, and a daughter Joane, her heiress, who married Sir Thomas Brooke, knight, and their eldest son,

Edward Brooke, was summoned to parliament as "*Edward Broke de Cobham, Chevalier*," from the 23 to the 38 Hen. VI. John, his son, had the like summons from the 12 Edw. IV. to the 12 Hen. VII. His son and heir Thomas had summons from the 1 to the 8 Hen. VIII., but in those years, the writs were directed to *John Cobham*, as distinctive of the title.

George Brooke lord Cobham, son and heir of Thomas, married Anne, daughter and eventually coheir of Edmund lord Bray, whereby their descendants acquired an interest in that barony.^d He had summons from the 21 Hen. VIII. to the 4 and 5 Philip and Mary. William, his eldest son and heir, was summoned from the 5 and 6 Philip and Mary, to the 35 Elizabeth. His successor was Henry, his eldest surviving son, who had summons the 39 Elizabeth, but afterwards, in the reign of James I., engaging with his brother George, in what was called *Rawleigh's Conspiracy*, they were both tried, found guilty, and had judgment of death pronounced against them, but George only suffered, and was beheaded; and this Henry reprieved, who lingered out a miserable life in imprisonment, and died in 1619. s.p., whereupon William, son of his brother George, by Elizabeth, daughter and coheir of Thomas lord Borough, would have succeeded to the title, had it not been for the forfeiture of his father and uncle; he however was restored in blood, but not to the enjoyment of the title, without the king's special grace, which was never extended to him. By Penelope, his wife, daughter of Sir Moses Hill, knight, he had two daughters, his coheirs, viz., — Brooke, who married Sir John Denham, the poet; and Hill Brooke, who married Sir William Boothby, ancestor of the present baronet,^e to which daughters, king Charles II., by letters patent, in 1665, granted the

^a Vide Banks's Dormant and Extinct Baronage, Vol. II. p. 111.—Pedigree of Cobham.

^b Henry Oldcastle, son and heir of John lord Cobham.—*Vide Pat. 7 Hen. VI., à tergo.*

^c She died in 1433, and was buried in Cobham Church.

^d Vide claim of Mrs. Otway Cave, to the barony of Bray, *Coram. Dom. Proc.* 1839.

^e Sir William Boothby is not the heir-general of Hill Brooke, though descended from her in the male line; the co-heirs are Dr. Thorpe, M.D., of Leeds, Dr. Alexander, Mrs. Lucy Letham, and Mrs. Harriett Lunn.

precedency due to the daughters of barons, notwithstanding the attainders of the said Henry lord Cobham, and George his brother. Thus the old barony of Cobham expired; but the interest which the said daughters had in the barony of Borough, not being derived from Henry lord Cobham, or George his brother, but from Elizabeth, (the wife of the said George) their grandmother, may be considered to remain as not affected by either attainder.

COBHAM OF STERBOROUGH.—(16 Edw. III.)

REGINALD DE COBHAM, son of John the second baron by his second wife, had summons to parliament from the 16 to the 35 Edw. III.; Reginald his son was also summoned in the 44 and 46 Edw. III., and died in 1375, leaving a son Reginald, who, nor any of his descendants ever had a similar summons to parliament. This last Reginald had a son Reginald who died in his lifetime, having issue an only daughter Margaret, who married Ralph Nevill, second earl of Westmorland, by whom she had a daughter who died young. Thomas, the second son by Anne, daughter of Humphrey Stafford, Duke of Buckingham, had an only daughter Anne, who married Sir Edward Burgh or Borough, whose son Thomas was summoned to parliament as lord Borough, temp. Hen. VIII., in whose co-heirs general this barony of Cobham rests in abeyance.

COBHAM OF RUNDALL.—(20 Edw. II.)

STEPHEN DE COBHAM, son of Henry, half brother to the first Reginald of Sterborough, had summons to parliament from the 20 Edw. II. to the 7 Edw. III., in which year he died, leaving John his son and heir, but who, nor any of his descendants were ever after summoned to parliament, although, according to Hollinshead, they long continued.

RALPH COBHAM.—(18 Edw. II.)

RALPH COBHAM, brother of Stephen (before mentioned) was summoned to parliament the 18 Edw. II., but never after, nor any of his descendants. He had a son John,* and also (according to Hollinshead) a son Thomas, who was bishop of Winchester. But as this solitary writ of summons cannot be assumed to have created a descendable barony, without any proof of sitting, any further account of the family seems unnecessary.

* Rot. Parl.
1 Ric. II., vol.
iii., p. 8.

COLUMBERS.—(22 Edw. I.)

PHILIP DE COLUMBERS held Nether Stowey, and eleven knights' fees, in the county of Somerset, temp. Hen. II.,* *jure uxoris* Maud, daughter and heir of Walter de Candos of Stowey.

* Lib. Nig.
Scacc.

John de Columbers, great-grandson of Philip, in the 5 Edw. I., paying £100 for his relief for all the lands which he held by barony, had livery of the same, and the 22 Edw. I. had summons to a parliament, but for the meeting whereof, neither time nor place were appointed. He was never summoned to any other parliament, and died circ. 34 Edw. I., leaving, by Alice his wife, one of the daughters and co-heirs of Stephen de Penchester, several sons, whereof the eldest,

Philip de Columbers, had summons to parliament from the 8 Edw. II. to the 15 Edw. III. He married Alianor, one of the sisters and coheirs to William, son of William Martin, baron of Kemeys, but dying s.p., the Columbers interest in the barony of Martin became terminated, and the Columbers barony extinct.^a Thomas, John, and Stephen de Columbers, brothers to the said Philip, dying s.p., their sister Joan, who married Geffery Stawel, ancestor of the lord Stawel, is said to have become their heir, and to have carried a great estate in the county of Somerset to that family, but which never had any summons to parliament, though in 1683 it was raised to the peerage by patent, by the title of baron Stawel, of Somerton, in the county of Somerset, and in 1742, became extinct, for want of male issue.

COLVILE.—(49 Hen. III.)

WALTER DE COLVILE was one of the barons summoned the 49 Hen. III. to the parliament then called by Simon de Montfort in the king's name; but neither Roger his son, nor Edmund his grandson, had a similar summons during their lives.

Robert de Colvile, son of Edmund, had summons to parliament from the 16 to the 39 Edw. III., and died the 41 Edw. III., leaving Walter his son and heir, who had a son Robert who died s. p., leaving (as Dugdale writes) Ralph Basset of Sapcoate, and John Gernoun (sons of the sisters of Edmund) his next heirs; which account, if to be relied upon, would make the barony, if any was created by the writs of summons of Robert de Colvile, *extinct*. But by deeds in the possession of the Pole family, of Radbourne, in the county of Derby,* it appears that Robert Colvile, and Cecily his wife,

* Ex. Evid.
penes Auct.

^a That is to say extinct, provided the writ of the 22 Edw. I., be not allowed as a valid one, but which was received as a parliamentary one by the House of Lords in the De Roos case.

were seised of the castle of Bytham, the *caput baroniæ* of the Colviles, and other great estates, and so seised, settled the same in tail upon the heirs of their bodies lawfully begotten; which Robert and Cecily had issue, Sir Hugh Colvile, knight; which Hugh had issue Sir Walter; he had issue Sir Hugh, who had issue Sybyl, who married Ralph Basset, which Ralph and Sybyl had a daughter called Alice, who married Sir William Moton, knight, from whom descended Reginald Moton, who had issue Anne Grymesly, and Elizabeth Pole; and by virtue of this descent the castle of Bytham, and other premises came into the possession of the Pole family, by which they were afterwards sold.

COMPTON.—(14 QUEEN ELIZABETH.)

SIR HENRY COMPTON was summoned to parliament from the 14 to the 31 queen Elizabeth, as *Henry Compton de Compton Chev'*. William, his son, had the like summons from the 35 queen Elizabeth, to the 12 James I., after when he was created earl of Northampton, in August 1618, whereby the barony of Compton was merged in the higher dignity of the earldom.

James Compton, his grandson, third earl of Northampton, married Mary, daughter and heir of Baptist Noel, viscount Campden, by Hester, his second wife, one of the daughters and coheirs of Thomas, lord Wotton, and by her had George the fourth earl, father of James the fifth earl, who married Elizabeth, sister and heir of Robert viscount Tamworth, grandson of Robert Shirley, earl Ferrers, which lady, by descent, was baroness Ferrers, of Chartley; by her the earl had James his son and heir apparent, who died in his lifetime unmarried; and several daughters, whereof Jane and Anne died unmarried, and Charlotte became eventually his sole heiress, and heir also of her mother Elizabeth, baroness Ferrers, of Chartley. She married George, viscount Townshend, afterwards created marquis; in whose grandson, the present marquis, the two baronies of Ferrers, of Chartley, and Compton, are vested.

CONIERS OR CONYERS.—(1 HEN. VIII.)

WILLIAM CONYERS, son and heir of Sir John Conyers, K. G., eldest son of Sir John Conyers, by Margery his wife, second daughter and coheir of Philip baron Darcy,* was summoned to parliament from the 1 to the 6 Hen. VIII. as "*William Conyers de Conyers Chevalier.*" The said Sir John his father, who was a Knight of the Garter, married Alice, one of the daughters and coheirs of William Nevill baron Fauconberg, whereby his son

* Vide Darcy.

William was one of the coheirs to that barony, as he was also to that of Darcy, in right of his grandmother Margery.

Christopher Conyers, son and heir of William, had summons from the 21 to the 25 Hen. VIII. His son John had the like summons from the 36 Hen. VIII. to the 3 and 4 of Philip and Mary; but dying shortly after without issue male, the barony fell into abeyance among his daughters, of whom Elizabeth married Thomas Darcy; Anne married first, Anthony Kemp, and secondly Arthur Cope, esq.; Catharine married John Atherton; and Margaret died s.p. He had also two sons, John and Henry, who died before him infants. From these daughters there was not any issue remaining in 1640, excepting from Elizabeth, who was the wife of Thomas Darcy, whose son Conyers Darcy was thus *jure matris*, heir of the barony of Conyers, and coheir of the barony of Darcy, created by writ the 6 Edw. III., and thereby invested the same in his family, as under the article *Darcy*, may be seen more at large. The barony of Conyers is in the present duke of Leeds, under which title an account of his descent is to be seen in the several editions of Collins's Peerage, and the other printed peerages of the day, as also in the second volume of Banks's Dormant and Extinct Baronage, page 143.

CORBET.—(22 EDW. I.)

PETER, son of Thomas Corbet,^a who married Isabel, one of the next heirs to Roger de Valletourt, a great feudal baron in the West, had summons to parliament from the 22 to the 28 Edw. I., to whom succeeded another Peter, his second but eldest surviving son, who had summons from the 30 Edw. I. to the 15 Edw. II., but died s.p., leaving John Corbet his brother his next heir, but who never had the like summons, and died also s.p.,* leaving the descendants of his aunts, Alice, Emma, Winnervine, and Venice his coheirs; but they not being issue of Peter the first baron, had no claim to the barony created by any of his writs of summons, and as such the barony of Corbet may be deemed extinct.

* Rot. Parl.
Vol. ii. p. 438,
No. 78.

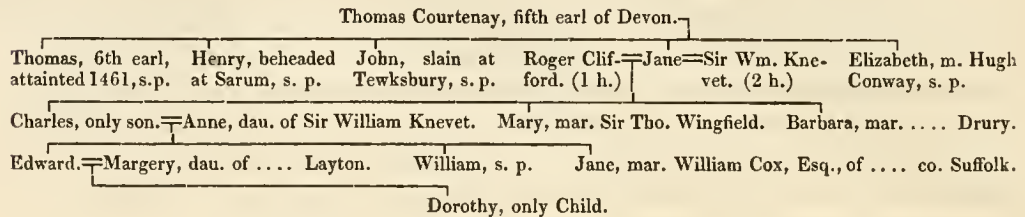
COURTENAY.—(27 EDW. I.)

HUGH DE COURTENAY had summons to parliament from the 27 Edw. I. to the 8 Edw. III., in the latter writs with the addition of *senior*; but in the year following he was allowed the earldom of Devon, (1335) in which higher dignity it remained merged, till by the attainder of Thomas the sixth earl in 1461, it with his other honours became

^a He was summoned to parliament the 45 Hen. III.

forfeited. He, and his brothers Henry and John, dying s.p., the earldom and barony of Courtenay would have fallen, had not the attainders interrupted the descent, unto Jane and Elizabeth their sisters, whereof the latter married Sir Hugh Conway, s.p.; and the former (Jane)* married first Sir Roger Clifford, and secondly Sir William Knevit.

* Vide Devon.



CRESSIE, OR CRESSY.—(22 EDW. I.)

WILLIAM DE CRESSY had summons to parliament the 22 and 25 Edw. I.; but Sir Harris Nicolas, in his Peerage Synopsis, doubts whether they were either of them regular writs of summons. That of the 22 Edw. I. was admitted in the Roos case, and a parliament was certainly holden at Westminster in the said year, when a great plea between William de Vesey and John Fitz-Thomas was brought forward.† Also a parliament was holden the 25 Edw. I., in which the great charter, and charter of the forests was confirmed. Whether the said William de Cressy was present therein, there is no evidence to show beyond the writ calling him thereto, and the presumption that he would have been fined as a baron had he not attended, of which there is not any mention in the Records of the Exchequer. But he was never again summoned to any other parliaments, and died s.p.

† Rot. Parl.
Vol. i. p. 127.

[CRETING.—(6 EDW. III.)

JOHN, son of Adam de Creting, who was slain in the wars of Gascony the 22 Edw. I., having also served himself in the same wars, and likewise in those of Scotland, in the 4 Edw. III., obtained a charter for free warren in all his demesne lands at Great Stockton, in the county of Huntingdon, and the 6 Edw. III. had summons to parliament by several writs for the same year, but not after, nor any of his descendants; so that Dugdale observes "I have no more to say of him."

‡ Vol. ii. p. 221. In Noble's Memoirs† of the Cromwell family, he states that the heiress of Adam de Creting, of Cretingsbury, married into the knightly family of De Wauton, seated at

Great Stoughton, in the county of Huntington, of which was Valentine Wauton, a distinguished officer under Cromwell. This Adam was most likely a descendant from John de Creting, the baron.

CRIOL.—(22 EDW. I.)

THE family of Criol was one of great consequence and possessions in the counties of Kent, Essex, and Hertfordshire, its chief seat being at Ostenhanger in Kent.

Nicholas de Criol was warden of the cinque ports ; and by Joane his wife, daughter and heir of William de Auberville, a baron of great feudal estates, (which Joane afterwards remarried Henry de Sandwich,*) had issue

Nicholas de Criol, who was summoned to the two so much doubted, (by Sir Harris Nicolas) regular parliaments of the 22 and 25 Edw. I., but never after. He married Margery, daughter of Gilbert Peche, and had a son Nicholas, who was never summoned to parliament, but whose issue male (though all unnoticed by Dugdale) long continued to Sir Thomas Criol, slain at the battle of St. Albans, 38 Hen. VI., leaving two daughters his coheirs ; of which, Elizabeth married John Bouchier, esq.; and Alice wedded John Fogge, esq.

* Orig. 32
Hen. III. Rot.
3. Kanc.

CROMWELL.—(1 EDW. II.)

JOHN DE CROMWELL had summons to parliament among the barons of the realm, from 1 Edw. II. to 9 Edw. III., about which time he died. He married Idonea, second daughter and coheir of Robert de Vipount, a great feudal baron, the widow of Roger de Leybourne ; but not having any issue by her, the inheritance of Vipount passed into the family of De Clifford, descended from Isabel the other daughter and coheir of Robert de Vipount, who married Roger de Clifford.

Ralph Cromwell, successor to John, had summons from 49 Edw. III. to 23 Ric. II., and died 1398. This Ralph is said by Dugdale^a to have been son and heir of John ; but, unless he was son by another wife, he could not be so by Idonea de Leybourne, for the reason before given ; and if he was a son by another wife, he must have been very young at his father's death, circ. 9 Edw. III., 1335 : for the period from that time to 23 Ric. II., the date of his last writ of summons is above sixty years. He could scarcely

^a All authorities excepting Dugdale represent John de Cromwell to have died s.p., and the next summoned to have been Ralph Cromwell, by some called his brother. In Thoroton's Nottingham, vol. iii., p. 170, is a pedigree of Cromwell, showing John to have died s.p.; and a MS. per T. C. Brooke, in the College of Arms, states the same.

be brother, for then supposing he was only twenty years old at the death of John, he would have been between eighty and ninety years old; certainly not impossible, but rather improbable: the point is of this effect, viz. if John died s.p., his barony became extinct with him, and then a new barony was created in Ralph, taking its date from his first writ of summons, the 49 Edw. III.

From a pedigree, (penes auct.) it would seem he was great-nephew to John, and was only his successor so far that he was next of the family summoned to parliament, and was the founder of this barony; his call to parliament being probably in virtue of descent from Robert de Tatshall, a baron lord of Tatshall, in the county of Lincoln. He married Maud, daughter of John, and sister and heir to her brother William de Bernake; which John was son of Alice, wife of Sir William Bernake, daughter and heir of Robert Driby by Joane his wife, one of the sisters and coheirs of Robert de Tatshall, by which marriage the castle of Tatshall and other great property was acquired to the Cromwell family. He died in 1398, leaving Ralph his son and heir, who had summons from the 1 Hen. IV. to the 4 Hen. V. Ralph his son and heir had the like summons from the 1 to the 33 Hen. VI., and died in 1455, s.p., leaving Maud his sister and heir, who married Sir Richard Stanhope, and by him had two daughters, her coheirs; viz., Maud, who married Robert lord Willoughby de Eresby, and had issue, now extinct; and Joane, or Jane, who married Humphrey Bouchier, hereafter mentioned.

The following pedigree, though differing from Dugdale's statement, accords more correctly with the public records relating to the family.

TABLE I.

MS. No. 8, per T. C. Brooke, in Coll. Arm.

Ralph Cromwell, married Margaret, daughter and coheir of Roger de Someri.— <i>Claus. 2 Edw. I.</i>				
John Cromwell, married Idonea de Leyburn, summoned to parliament 1 Edward II., s. p.		Ralph Cromwell, ob. circ. 9 Edward III.		Joane de la Mare, ob. 9 August, 1348.
Ulcher, 18 Edward III.	Ralph, ob. 1355.	Amicia, dau. and at length coheir of Roger de Bellers, 24 Edw. III		
Ralph Cromwell, summoned to parliament 49 Edward III., obiit 1398.	Maud de Bernake, heiress of Tatshall, ob. 1419.		Sir Richard, 9 Richard II.	Margaret. Joan.
Ralph, æt. 30, an. 1398, obiit 1416, vitâ matris.	Johanna . . . a widow the 5 Hen. V.	Maud, mar. Sir William Fitz William, of Sprotborough.	Hawise, mar. Thomas lord Bardolf. <i>Vide Bardolf.</i>	Elizabeth, mar. 1st Sir John Clifton, 2nd Sir Edward Benstead.
Ralph, third lord Cromwell, æt. 26, anno 1419, mar. Margaret, dau. of John lord D'Eincourt, ob. 1455, s. p.; both buried at Tatshall.— <i>Mon. ibidem.</i>			Maud, sister and heir	Sir Ric. Stanhope, knight.
Henry, obiit 1453, s. p.	Maud, mar. 1st Robert lord Willoughby,* 2nd Sir Ger-vase Clifton, s.p., 3rd Thomas Nevill, s. p.		Joane,† mar. 1st Sir Humphrey Bouchier, 2nd Sir Robert Ratcliffe. s.p.(?)	

* Vide Willoughby of Eresby. Had issue, long since extinct. This lady Willoughby is buried at Tatshall.

+ She is buried at Tatshall, ob. 10 March, 1479.

TABLE II.

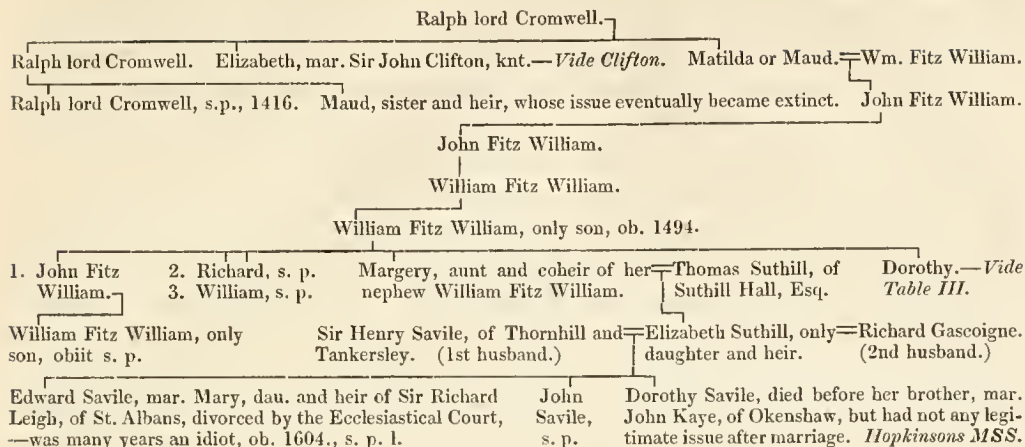
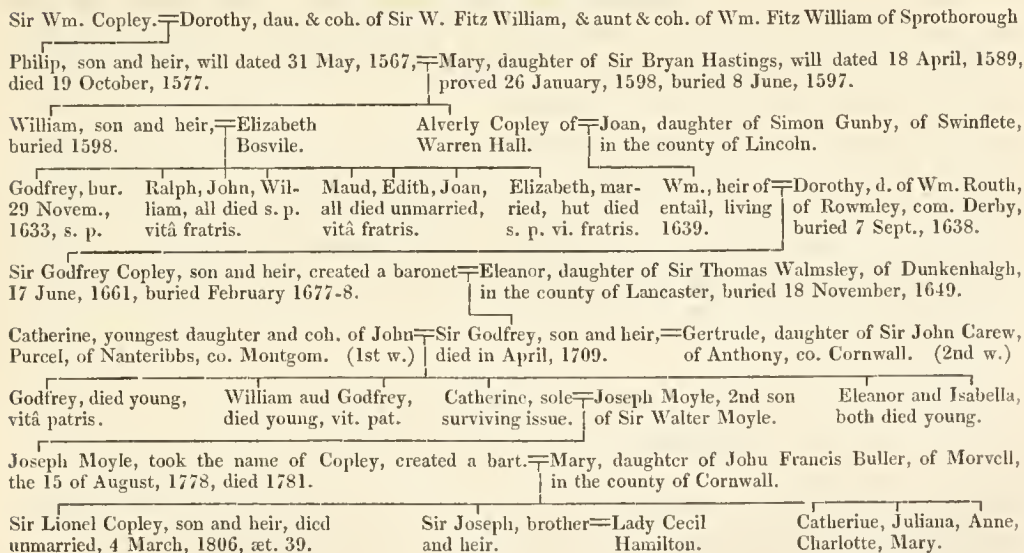


TABLE III.

COPLEY OF SPROTBOROUGH.



BOURCHIER LORD CROMWELL.—(1 Edw. IV.)

SIR HUMPHRY BOURCHIER, third son of Henry, earl of Essex, was summoned to parliament, sometimes as *Humphry Bouchier de Cromwell*, at others as *Humphry Dom. Cromwell*,

Chiv', or as *Humphry Cromwell. Chiv'*, from the 1 to the 9 Edw. IV. He died s.p., in 1471; and on the death of the lady Joane, his wife, in 1479, the barony of Cromwell is considered to have fallen into abeyance among the representatives of her mother's aunts, viz., Maud, who married Sir William Fitz-William, of Sprotborough, in the county of York; Hawyse, who married Thomas lord Bardolf; and Elizabeth, who married first Sir John Clifton, and secondly Sir Edward Benstead, knight.

Of these ladies, Maud had issue a son, Sir John, whose male line continued for several successions until it terminated^a in two daughters, coheirs; viz., Margery, who married Thomas Suthill, and had an only daughter and heir Elizabeth, who married Sir Henry Savile, of Tankersley, knight; and Dorothy, who married Sir William Copley, of Copley, in the county of York, whose descendant in the eldest line, Sir Godfrey Copley, was created a baronet in 1661, who by his first wife had a son Sir Godfrey, the second baronet, who died in 1709, when the title became extinct; and by his second wife had three daughters, whereof Dorothy married Sir Michael Wentworth; Elizabeth, William Wombwell, of Wombwell, esq.; and Catharine married Sir George Cook, bart.

Of the issue of Hawyse, who married Thomas lord Bardolf, mention is made under that article; but it is to be observed, that though the attainder of lord Bardolf affected that barony, yet the interest in the barony of Cromwell, being derived from their mother, could not be affected thereby, and as such remains vested in her coheirs general, the present lord Beaumont, and the earl of Abingdon.

Of Elizabeth, the third daughter, wife of Sir John Clifton, it has been noticed under that head, that her heir general was the heir general of Knevet. Sir William Knevet, grandson of Sir John Knevet, who married Elizabeth, daughter of Constantine, son and heir of Sir John Clifton, by Elizabeth Cromwell, was attainted in 1483; but his descendant Sir Philip was created a baronet in 1611, with whose son Robert, the second baronet, the title became extinct, circ. 1699.*

* Vide Clifton.

CROMWELL, OF WIMBLEDON.—(28 HEN. VIII.)

THOMAS CROMWELL was summoned to parliament the 8th of June, 28 Hen. VIII., as *Thomas Cromwell, de Wimbleton, Chiv'*, and on the 18th of July, the last day of the parliament, 28 Hen. VIII., is recited by Dugdale to have been admitted by writ and patent. He was afterwards created earl of Essex, and the following year attainted and beheaded, and his honours forfeited.

Gregory Cromwell, son and heir of the said earl Thomas, had summons to parlia-

^a Vide Banks's *Dormant and Extinct Baronage*, and Collins's *Peerage*, sub titulo Fitz-William.

ment from the 31 Hen. VIII., to the 2 Edw. VI., as *Gregory Cromwell, Chiv'*. Henry Cromwell, his son, who had the like summons, from the 5 to 31 queen Elizabeth, ob. 1592. Edward, son and heir of Henry had summons from the 35 queen Elizabeth, to the 3 James I., and died 1607.

Thomas, son and heir of Edward, does not appear to have been ever summoned but was created earl of Ardglass, in Ireland, and died 1653. Wingfield Cromwell, second earl of Ardglass, had summons the 13 Charles II., to the English parliament. He died in 1668, leaving Thomas his son and heir, the third earl; who had the like summons the 31 and 32 Car. II.; dying s.p., he was succeeded by his uncle Vere Essex, brother to Wingfield, the third earl. This Vere Essex was summoned to the English parliament 1 Jac II.; but dying in 1687, without issue male, the earldom of Ardglass became extinct, and the right to the barony of Cromwell devolved upon his only daughter and heir Elizabeth, who married Edward Southwell, esq., whose eldest grandson Edward Southwell, being one of the coheirs of the ancient barony of De Clifford, had the same allowed to him; but Edward his son, the next baron, dying in 1832, s.p., the barony of De Clifford fell into abeyance between the issue of his sisters, his coheirs; and with it also this barony of Cromwell. The abeyance of the barony of De Clifford has since been determined; but that termination is not considered to have affected this barony, which still remains open to a similar favour from the crown.

DACRE.—(14 EDW. II.)

RALPH DE DACRE, according to Dugdale, had summons to parliament from the 28 Edw. I. to the 12 Edw. II.; but militating not a little against the accredited accuracy of that eminent baronagian, the name of Ralph de Dacre does not appear in the summonses of those years. However, from the 14 Edw. II. to the 20 Edw. II., it is mentioned, and also to the 12 Edw. III., in the year following of which he died. He married Margaret, daughter and heir of Thomas de Multon, baron of Gillesland, and thereby acquired that ancient baronial territory. William his son and heir had summons from the 24 to the 34 Edw. III., the year following of which he died, s.p., leaving Ralph his brother and heir,^a summoned from the 36 to the 47 Edw. III.; soon after when he died, (1375) leaving Hugh his next brother his heir, summoned from the 50 Edw. III. to the 7 Ric. II., in which year he died, and was succeeded by William his son, who had summons from the 7 Ric. II. to the 5 Hen. IV.; his son and heir,

Thomas de Dacre had summons the 14 Hen. IV.; in which writ, for the first time,

^a At the time of succeeding to the barony he was a priest, and rector of the church of Prestecote.

the addition of *Gillesland* is inserted, indicating thereby that although Ralph, the person summoned the 14 Edw. II., was so summoned, probably jure uxoris Margaret, the heiress of Thomas de Multon, yet the operation of the said writ would create a distinct barony, it being personal, and not bearing any allusion to the barony of Multon: nevertheless, the two baronies would become descendable in the same course of inheritance, and combined together, unless the one could be considered as a continuance of the other, as the possession of Gillesland seems to have carried with it the baronial right of parliamentary summons. From the aforesaid 14 Hen. IV., Thomas de Dacre continued to be summoned to the 33 Hen. VI., inclusive, (1455), with the same addition of *Gillesland*. This Thomas died the 36 Hen. VI., having had issue three sons, viz: Thomas, Ralph or Ranulph, and Humphry. Of these Thomas died *vi. pat.*, leaving a daughter Joane, heiress to her grandfather in the barony of Dacre. But it appears that by virtue of a fine levied by Thomas her grandfather, and an entail made thereon, of the baronial territory of Gillesland, and other capital manors, &c., in favour of the heir male of his family, Ranulph de Dacre was found, upon his death, to be his next heir male, and thereupon had summons to parliament the 38 Hen. VI., as *Ranulph Dacre de Gillesland*; while in the same year, Richard Fienes, who had married Joane, the granddaughter and heiress, as before mentioned, of Thomas the baron, who died the 36 Hen. VI., had also summons by writ, directed "*Richard Fenys, Domino de Dacre, Militi.*" Thus the barony of Dacre, under the writ of summons of the 14 Edw. II., was acquired by the Fenys, or Fiennes family.

John, eldest son and heir apparent to this Richard, the first Fiennes lord Dacre, died *vi. pat.*, leaving by Alice his wife, daughter and coheir of Henry lord Fitz-Hugh, Thomas, successor to his grandfather, in the barony of Dacre, and a coheir to the barony of Fitz-Hugh. He had summons to parliament as "*Thomas Fiennes de Dacre,*" from the 11 Hen VII. to the 25 Hen. VIII. Thomas, his eldest son and heir apparent died in his lifetime, leaving another Thomas, successor to his grandfather, who in 1541 was executed and attainted. He had issue a son Thomas, who died young, and a son Gregory, who with his sister Margaret were restored by act of parliament. This

Gregory lord Dacre was summoned to parliament from the 5 to the 35 queen Elizabeth, but died the year following, s.p., leaving Margaret his sister and heir, who married Sampson Lennard, esq. and transferred to his family this barony of Dacre.

From the family of Lennard, the barony of Dacre, through the heir female, has passed to that of Roper, and lastly into that of Brand, which now enjoys it, and being an extant barony, its descent may be found in the printed peerages of the day. One remark however only remains for observation, as to its legal precedency; the first Ralph Dacre had summons to parliament personally, without any distinction of barony, the 14 Edw. II.; the same form of writ continued to his successors untill the 14 Hen. IV., when

Thomas, then lord Dacre, was summoned with the addition of *Gillesland*, thereby intimating that was his barony, following the territorial possession of the baronial land; that land passed by licence of the crown to the heir male Ranulph, who thereupon had summons to parliament as lord Dacre of Gillesland; but the heir general of Ralph the baron, 14 Edw. II., married Richard Fiennes, who had not any blood of Dacre in him. He was summoned to parliament as *Richard Fenys lord Dacre*. This summons created him lord Dacre, which would seem to be a new barony in him; for though his wife was heiress of the personal honour, there was no courtesy of that personal title; courtesy only appertaining to property, and the baronial property was not in her. She was heiress to the barony of *Multon of Gillesland*; if that barony be not considered to have emanated from, and have attended upon the possession of that territory.

DACRE, OF GILLESLAND.—(38 HEN. VI.)

RANULPH DACRE, brother and heir male of the last Thomas, having succeeded to the possession of Gillesland, was summoned to parliament (as before mentioned) the 38 Hen. VI. by the same designation as his brother Thomas, viz., *Ranulph Dacre de Gillesland*. He was afterwards slain in the battle at Towton, and by act of parliament attainted the 1 Edw. IV. But as the baronial land of Gillesland stood entailed to heirs male, the same was not affected legally by his attainder; and he dying s.p., his brother Humphrey became heir thereto. But this

Humphrey Dacre stood also attainted, whereby his right was also forfeited. He however obtained so much favour thereafter, that the 13 Edw. IV. he was restored in blood and lands, and the attainders against himself and his brother Ranulph were made void; and at the same time sundry entails of many manors, as well to the lord Dacre, the heir male, as to Fenys the heir general, were conferred; wherein according to Prynne^a is to be noted a pedigree for the line of the lord Dacre. Moreover in the 22 Edw. IV., and 1 Ric. III., he had summons to parliament as lord Dacre of Gillesland. He died the 1 Hen. VII., leaving

Thomas his son and heir, who had summons in the 1, 3, 6, and 7 Hen. VIII., as *Thomas Dacre de Dacre*, when also was summoned *Thomas Fenys de Dacre Chiv'*. He died in 1525, having married Elizabeth, granddaughter and heir of Ralph lord Grey-stoke, by which marriage he brought that barony into his family.^b

^a Prynne's Abridgement of the Tower Records, p. 691.

^b He acquired also a moiety of the ancient baronies of Bolebec and Boteler of Wemme, a fourth of Montfichet, and a third of a moiety of the old barony of Merley of Morpeth.

William Dacre his son and heir, the 21 Hen. VIII. had summons to parliament among the barons, in which summons he is styled "*William Dacre de Dacre & Greystock Chiv'*." He was afterwards summoned in the 25 Hen. VIII. as *William Dacre de Gillesland*, without the addition of *Greystock*. In the 28 Hen. VIII., he is mentioned to have sate as *lord Dacre of Greystock*, and Fenys as *lord Dacre of the South*. In the 31 Hen. VIII. he is named *lord Dacre of the North*, and placed next below Fienes, styled *Dacre del South*. In the 33 and 35 Hen. VIII., he is denominated only *William Dacre Chev'*. Thus, with these various descriptions, he continued to be summoned till the 5 and 6 Phil. and Mary. He died in 1563, having had issue four sons, whereof Leonard and Edward were attainted and died s.p., temp. queen Elizabeth. Francis the youngest was also attainted, and died circ. 8 Car. I., leaving a son Ralph or Randal, as named in the Parish Register of Greystoke, who died s.p., in 1634, and was buried at Greystoke, being the last heir male of this line.

Thomas, the eldest son of William lord Dacre, succeeded his father, but never had summons to parliament. He died in 1569, leaving one son George and three daughters, of which Anne married Philip, earl of Arundel; Mary, Thomas lord Howard, of Walden, s.p.; and Elizabeth wedded lord William Howard, half brother to Philip, earl of Arundel.

George, the only son, and last lord Dacre of Gillesland, had summons to parliament the 3 queen Eliz., but is stated to have been then *infra etatem*. He died s.p., and the Dacre estate was divided between his sisters and coheirs, in which partition the earl of Arundel got the possession of Greystock, and lord William Howard obtained Naworth, &c. If this barony of Dacre be considered to have been created by writ of summons, the lords Stourton and Petre are the coheirs general of Anne, the wife of Philip, earl of Arundel; and the earl of Carlisle is the heir general of Elizabeth, the wife of lord William Howard; and in these noblemen is similarly vested in abeyance the ancient barony of Greystock, so far as it was acquired by the marriage of Thomas, second baron Dacre of Gillesland, with Elizabeth the heiress thereof, and the summons to parliament of William his son, by that title the 21 Hen. VIII. But as the territory of Gillesland stood limited to heirs male, and that limitation, or entail, was confirmed by Edward IV. when the attainder of Humphrey Dacre was made void, it would seem the descent of the barony was governed thereby: yet upon the reerfence of the case to the commissioners appointed to determine the claim of Leonard Dacre as heir male, and the sisters of George Lord Dacre as coheirs general, the barony was decided to be vested in them, and in abeyance.

It may here be observed, that Charles Howard, great grandson of lord William Howard, was a colonel in the parliament army under Oliver Cromwell; and was one of those whom the protector created to take place as lords, and have that dignity in all commissions, by the title of baron Gillesland, and viscount Howard of Morpeth, July 20th, 1657.* In which titles, after the restoration, he was so far confirmed, that he was

* Morgan's
Phoenix Bri-
tanicus.

created baron Dacres, viscount Morpeth, and earl of Carlisle, by patent 20 April, 1661, being the only person, excepting general Monk, who appears to have had the Cromwelian honours recognized, or regranted.

COPY OF THE WRIT

BY WHICH CROMWELL'S LORDS WERE CALLED TO PARLIAMENT.

OLIVER, Lord Protector of the Commonwealth of England, Scotland, and Ireland, and the Dominions and Territories thereunto belonging, To OUR TRUSTY and beloved son Lord Richard Cromwell GREETING.

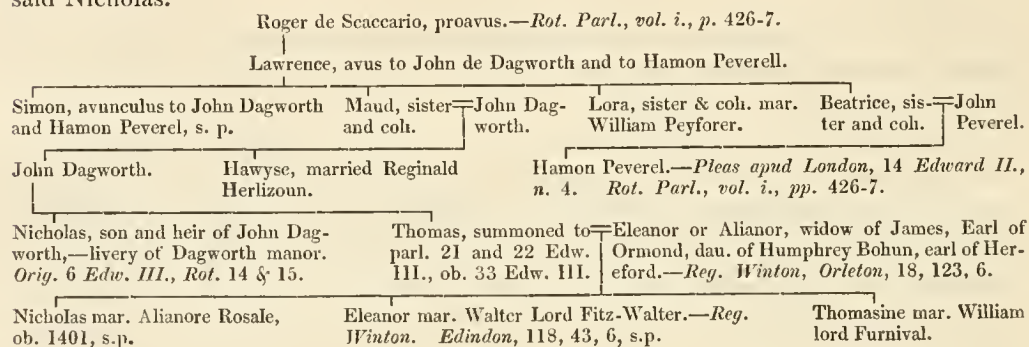
WHEREAS, by the Advice and Assent, our Council for certain great and weighty affairs concerning us, the state and defence of the said Commonwealth, we ordained our present parliament to be held at our City of Westminster, the 17th day of September, in the year of our Lord 1656, and there to consult and advise with the Knights, Citizens, and Burgesses of our said Commonwealth, which Parliament was then and there held and continued until the 26th day of June last past, and then adjourned until the 20th day of January now next coming. Therefore we command and firmly enjoin you, that, considering the difficulty of the said affairs, and imminent dangers, all excuses being set aside, you be personally present at Westminster aforesaid, the said 20th day of January next coming, there to treat, confer, and give your advice with us, and with the great Men and Nobles, in and concerning the affairs aforesaid. And this, as you love our honour and safety, and the defence of the Commonwealth aforesaid, you shall no wise omit. WITNESS ourself at Westminster the 10th day of December, 1657.

DAGWORTH.—(21 Edw. III.)

THOMAS DE DAGWORTH, an eminent commander in the wars of France, temp. the martial reign of Edw. III., had summons to parliament the 21 and 22 Edw. III., but never after, which might be from his being so continually employed in the military affairs with that country, where after so many glorious exploits he had at last the misfortune to be slain in an engagement with the French, the 33 Edw. III. He married Eleanor, widow of James Butler, earl of Ormond, daughter of Humphry Bohun, earl of Hereford, by Elizabeth his wife, daughter of king Edward I. by his second queen; to whom succeeded, as said by Dugdale,

* Vol. 3.
p. 68, S.
Erp. H.

Nicholas de Dagworth his son, who like his father was famous for his military achievements in France, but was not very popular in the reign of Richard II. He never had summons to parliament; nor is it noticed by Dugdale when he died, nor whether he was married, or had issue. According to Blomfield, in his history of Norfolk,* he married Alianor, daughter of Walter, and sister and coheir to Sir John Rosale, of Shropshire, knt., but died in 1401, and was buried at Blickling church, in Norfolk, leaving Thomasine his sister and heir, who married William lord Furnival, who thereby obtained the manor of Dagworth. If this Nicholas was son of Thomas de Dagworth, he had another sister Eleanor, who was the first wife of Walter lord Fitz Walter, but died s. p., before the said Nicholas.



D'AMORIE.—(11 EDW. II.)

SIR ROGER D'AMORIE had summons to parliament the 11, 12, 13, and 14 Edw. II. He married Elizabeth, one of the sisters and coheirs of Gilbert de Clare, earl of Gloucester, who had before been married to John de Burgh, earl of Ulster, and to Theobald de Verdon,—by which lady he had an only daughter and heir *Elizabeth*,† who married John lord Bardolf; whose grandson Thomas lord Bardolf was attainted‡, whereby all his honours were forfeited. Collins, and the Irish Compendium, mention another daughter Eleanor, who married John de Raleigh: but Dugdale states§ her to have been named Agnes in the will of her mother, Elizabeth de Clare; and her sister Isabel Bardolf, and not Elizabeth, as before mentioned.

† Dug. Bar.
v. i. p. 682.
‡ Vide Bardolf

§ Dug. Bar.
v. i. p. 475.

RICHARD D'AMORIE.—(20 EDW. II.)

RICHARD, presumed to be Nephew of Roger, baron D'Amorie (*i. e.* according to Collins, son of his brother Nicholas D'Amorie) had summons to parliament from the 20 Edw. II. to the 4 Edw. III., and died circ. the latter year, leaving

Richard D'Amorie his son and heir, but he never had summons to parliament, and dying in 1375, s.p., the barony became extinct. Dugdale states, that upon his death, Elizabeth, and Alianor, sisters to Sir John Chandos, and Isabel, daughter of Margaret, the third sister, then the wife of Sir John Annesley, knight, were his heirs, but does not mention in what manner they were so. This is somewhat explained by Lodge, in his *Peerage of Ireland*,* under the title of "*Annesley Viscount Valentia*," wherein he says that the said Sir John Annesley, in right of Isabel his wife, in 1376 had livery of the manor of Hedyngton and hundred of Belyndon, and Northgate in Oxfordshire; which Sir Richard D'Amory, who died 1375, held for life in fee-farm. Still it does not appear how these coheirs of Sir John Chandos were connected with the family of D'Amory.—Vide *Originalia*, 50 Edw. III., Rot. 6.: viz., Elizabeth Chandos, Roger Colyng, and Alianor his wife, John Annesley, and Isabel his wife, coheirs to Sir John Chandos, for the manor of Hedyngdon, &c., in the county of Oxford.

* Vol. ii.
p. 270-1.

D'ARCIE, OR DARCY.—(45 HEN. III., AND 22 EDW. I.)

PHILIP D'ARCIE, fifth in descent from Norman D'Arcie, who at the general survey held thirty-three manors in the county of Lincoln, married Isabel one of the sisters, and eventually coheirs to her brother Roger Bertram, of Mitford, an eminent northern baron, in the county of Northumberland, had summons to the parliament convened by the king to meet in London, the 45 Hen. III.;† shortly after when he died, the 48 Hen. III., leaving issue,

† Claus. Rot.
45 Hen. III.

Norman D'Arcie his son and heir, who had summons to parliament the 22 Edw. I., but in the writ no time, nor place is mentioned for meeting; but nevertheless a parliament was holden at Westminster in that year,‡ which as no other summons appears on record, must be considered to be holden in pursuance of the said writ. He died the 24 Edw. I., leaving his son and heir

‡ Rot. Parl.

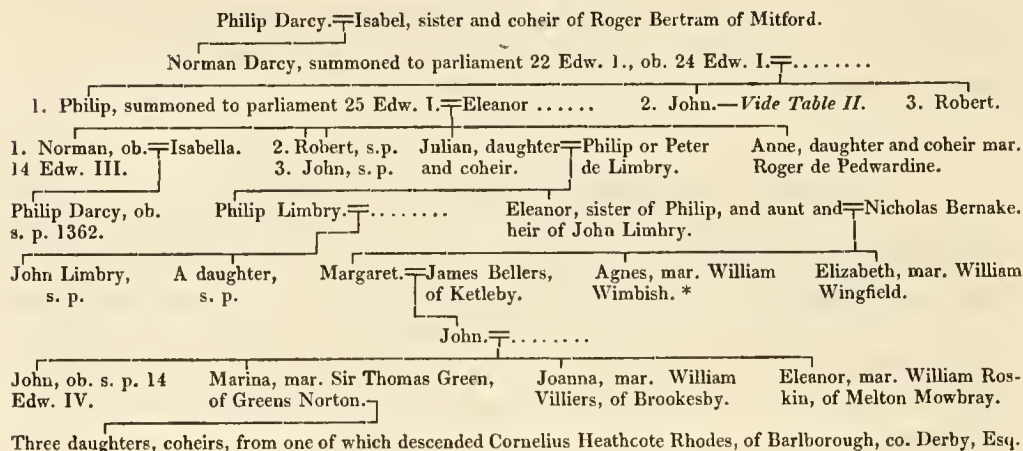
Philip Darcy, a person of great action in his time, and in eminent employments during the reigns of Edw. I. and II., and said by Dugdale to have been summoned to parliament from the 25 to the 34 Edw. I. Yet, in his *Index of Lists of Summons*, the name of Philip is further noticed; viz., in the 20 Edw. II., and the 1, 2, 4, 5, and 6 Edw. III., when he must have been an aged man, if, as Dugdale writes, he was forty years old on the death of his uncle Thomas Darcy, the 27 Edw. I.

When he died, or whom he married, the same author does not mention, but that he had three sons, Norman, Robert, and John, which last two died s.p., and two daughters, namely, Julian, who married Sir Peter de Limbery; and Agnes, who married Sir Roger Pedwardine.

Norman Darcy, the eldest son, succeeded his father, with whom he was in the insurrection of Thomas, earl of Lancaster, temp. Edw. II., but obtained his pardon, though it does not appear that he ever had summons to parliament. He died circ. 14 Edw. III., leaving a son Philip, who died soon after, *infra ætatem*, s.p., whereby his aunts Julian and Agnes, became his coheirs; with whose representatives the barony is in abeyance, provided the writs of summons of their father Philip may be deemed the creation of a personal descendable honour.

TABLE I.

DARCY.—(FIRST BARONY.)



* The line of Wimbish continued for five descents, and ended in two sisters, coheirs of Thomas Wimbish, temp. queen Elizabeth Francea married Sir Richard Townley, of Townley; and Ethelred married Francis Norton, whose daughter Elizabeth married Sir Edward Barton, of Whenby, co. York.

JOHN DARCY.—SECOND BARONY.—(6 EDW. II.)

JOHN DARCY, second son of Norman, and next brother to Philip, the baron before mentioned, had summons to parliament the 6 and 7 Edw. III. as *John Darcy Le Cousin*; in the 16th as *John Darcy* only. He died in 1347, and was succeeded by John his son and heir, by Emeline his first wife, daughter and heir of Walter Heron.

John, next lord Darcy, had summons to parliament, from the 22 to the 28 Edw. III., as *John Darcy de Knayth*. He married Elizabeth, daughter and heir of Nicholas baron Meynill. John, his eldest son, died *infra ætatem*, s.p., wherefore Philip his brother was the next baron, and had summons to parliament from the 1 to the 21 Richard II., as

Philip Darcy. His son John had the like summons from the 23 Ric. II. to the 12 Hen. IV. (1411), in which year he died, leaving Philip his son and heir, who died in 1418, under age, leaving Elizabeth, who married Sir James Strangways, and Margery, who became the wife of Sir John Conyers, his two daughters and coheirresses, and the barony in abeyance between them.

TABLE II.

DARCY.—(SECOND BARONY.)

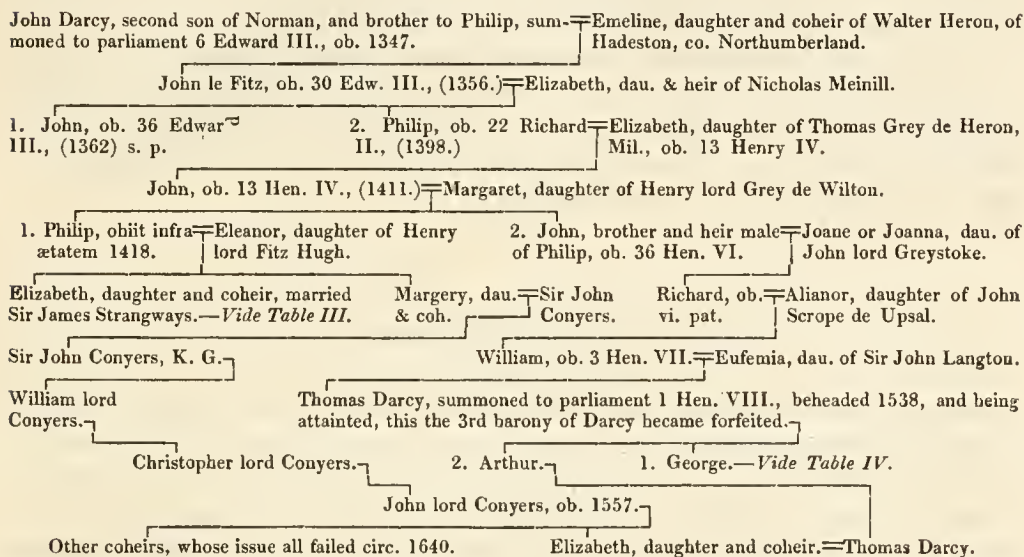
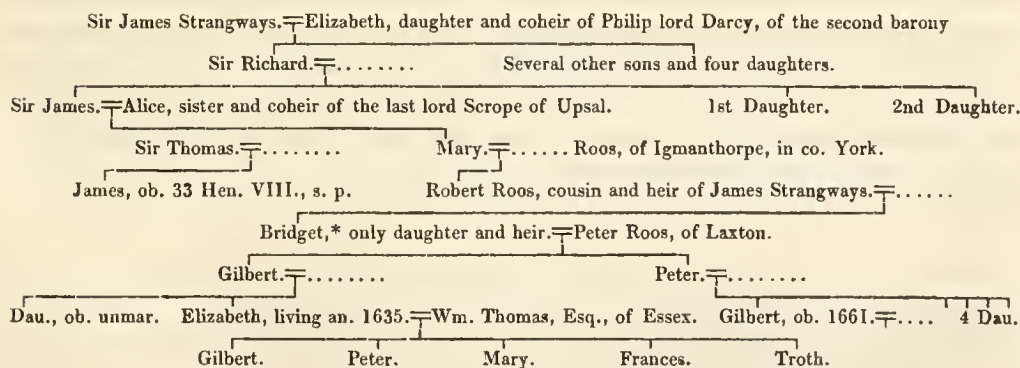


TABLE III.



* Vide Thoroton's Notts., p. 376.

On the death of the last earl of Holderness, s.p.m., the effect of the patent of king Charles I., in 1641, ceased entirely; and it remains to be considered whether the barony of Darcy did not then fall again into abeyance; i. e., between the heirs representative of Elizabeth the wife of Sir James Strangways, and of Margery the wife of Sir John Conyers, mentioned in Tab. 2.

THOMAS DARCY.—THIRD BARONY.—(1 HEN. VIII.)

THE male line of the eldest branch having thus terminated in female issue, and thereby vested the barony in abeyance between the coheirs general, it remains to be observed that the next heir male was John Darcy, second brother to Philip the last baron. This John had issue Richard, who died in his lifetime, father of William, whose son

Thomas, was summoned to parliament as "*Thomas Darcy de Darcy Chivalier*," from the 1 to the 21 Hen. VIII., and with the addition of "*De Temple Hirst*;" demonstrating thereby, that it was a new barony; but in his after summonses to the 28 Hen. VIII., he was simply described as "*Thomas Darcy, Chiv*". But he was beheaded and attainted two years after (1538), and his peerage forfeited.

GEORGE DARCY.—FOURTH BARONY.

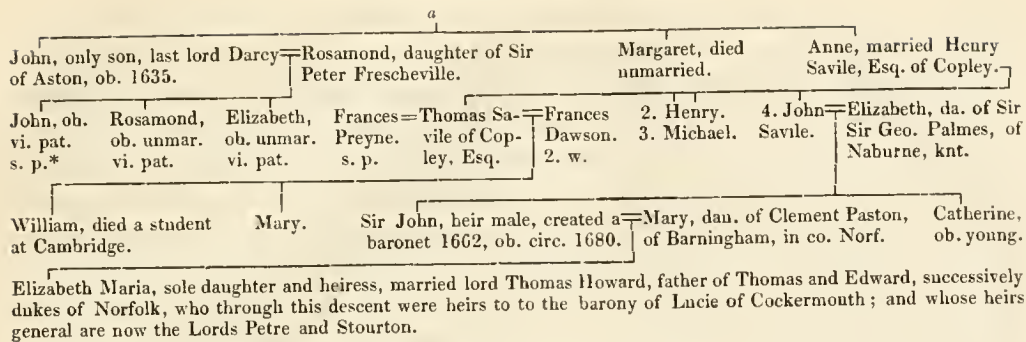
GEORGE D'ARCY his son and heir, was afterwards restored in blood, with the dignity of baron Darcy, to him and the heirs male of his body, by act of parliament, the 2 Edw. VI. His great-grandson John had summons to parliament from the 3 James I. to the 4 Charles I., as "*John Darcie and Meinill, Chiv*;" but this addition of Meynill was an assumption, it would seem, not at all warranted, as whatever interest appertained to a descent from that barony, had become vested in the coheirs general of Philip the last lord Darcy, of Knayth. But it nevertheless may be a question, how far that summons created in him a new barony by writ; which if so, as his son died unmarried, (vi. pat.) and with him terminated the barony of Darcy conferred on George lord Darcy by patent, 2 Edw. VI., by failure of male issue, then the said barony of Meynill would have fallen into abeyance between his two daughters, Rosamond, and Elizabeth, had they been living; but they died young, vitâ patris, and thus both titles became extinct in his line.

TABLE IV.—(FOURTH BARONY.)

George Darcy, eldest son of the attainted baron Thomas, restored in blood and created lord Darcy to him and the heirs male of his body, ob. 1557.	— Dorothy, dau. and heir of Sir John Melton, of Aston, co. Derby, who brought her husband the manor of Aston, and who was heiress to the barony of Lucie of Cockermouth.
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John, only son, ob. 1602, buried at Aston.	— Anne, daughter of Thomas Babington, of Dethick.
--	---

Michael, only son, ob. vi. pat.	— Margaret, daughter of Thomas Wentworth, Esq.
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* With the above named John ended the fourth barony of Darcy, limited to the heirs male of the body of George the restored baron. The barony by writ to Thomas his father, remaining forfeited to the crown.—(*Lumley Case.*)

ARTHUR DARCY.—FIFTH BARONY.—(1 QUEEN ELIZABETH.)

SIR ARTHUR DARCY, second son to Thomas lord Darcy, had summons to parliament the 1 and 5 queen Eliz. as "*Arthur Darcie de Darcie Chev.*"* He died in April 1561,^a and was buried at St. Botolph, without Aldgate, near his father Thomas lord Darcy. By Mary, daughter of Sir Nicholas Carew, of Bedington, in the county of Surrey, K.G., and sister and coheir to her brother Sir Francis Carew, he had a numerous family of sons and daughters. Of the sons,

Sir Henry Darcy, the eldest, was of Brimham in the county of York, and of Leighton Bromeswold in the county of Huntingdon. By his first wife he had not any issue; but by his second, lady Catherine, daughter and heir of Sir Robert Tyrwhitt, of Leighton Bromeswold, he had a daughter and heir Catherine, who became the wife of Sir Gervase Clifton, afterwards summoned to parliament the 7 Jac. I., as "*Gervase Clifton de Layton Bromswould Chiv*"; which writ of summons, though personally directed, appears to have been in consequence of his wife's baronial descent.—(*Vide Clifton.*)

Thomas Darcy, second son of Sir Arthur, married Elizabeth, daughter and coheir of John lord Conyers, as mentioned before under that title.† He died 3 Jac. I., leaving Sir Conyers Darcy his son and heir, who being the principal male heir of the Darcy

^a If this Arthur Darcy was ever summoned, as Dugdale says, to the parliaments of the 1 and 5 queen Eliz., it is certain he never took his seat therein; for the Journals of the House of Lords state that *John lord Darcy de Darcy took his seat the 25 January, 1 queen Elizabeth*, and not any name of Arthur is to be found throughout them. If he died, according to Dugdale, in 1561, that was in the 3, and not the 5 queen Eliz. It is considered to be a misprint of name for his nephew John, son of his elder brother George, the restored baron: for the name of John is not in the writ of summons of the 1 queen Eliz., though as before noticed, he took his seat in the House of Lords in the said year.

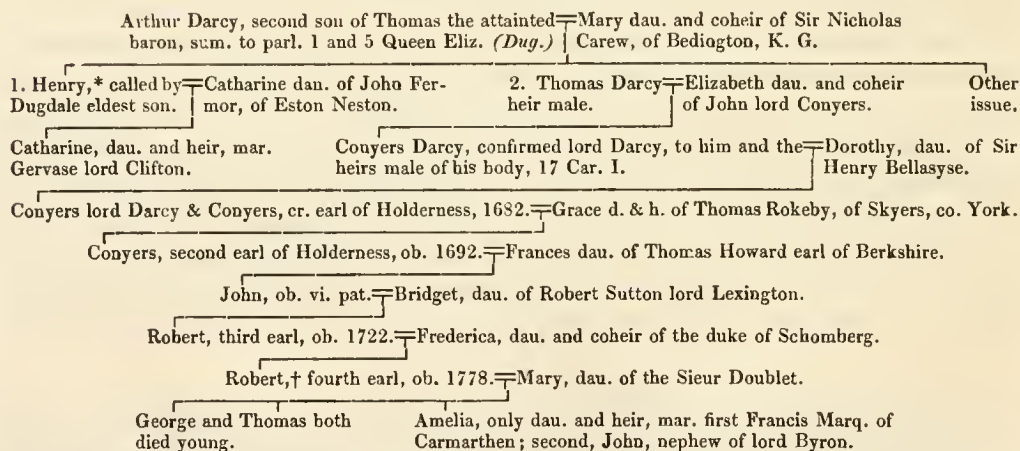
* Dug. Sum.

† Vide Conyers

family, and son and heir of Elizabeth, daughter and coheir of John lord Conyers, lineal heir to Margery, daughter and coheir to Philip lord Darcy, son of John lord Darcy, a baron temp. Hen. IV., prayed his majesty king Cha. I. to declare, restore, and confirm to him and the heirs male of his body the dignity of lord Darcy, with such place and precedence as the said John lord Darcy, and by right from his ancestors then enjoyed; all which the king, by letters patent dated at Westminster 10 August, 1641, was pleased to grant, whereupon he had summons to parliament accordingly, as "*Conyers Darcie de Darcie & Conyers Chiv'*. *Teste August, 17 Car. I.*" But it is considered that this creation, by its limitation to heirs male, did not take the old barony out of abeyance, but was a creation *de novo*, and that the precedence assigned to it was illegal according to the modern doctrines on the subject.

Conyers Darcy his son, had summons from the 13 to the 32 Car. II., as *Conyers Darcy de Darcy*, and in the last two, with the addition of *de Meynill*. In 1682, he was created earl of Holderness, by reason whereof, his baronial honours became merged in the superior dignity, and so continued till the death of Robert the fourth earl, s.p.m., when the earldom expired, as also the barony of Darcy created by the patent of 1641. But the barony of Conyers, and that of Meynill, if one was created by the writs of summons 31 and 32 Car. II., descended upon his only daughter and heiress Amelia, who married the marquis of Carmarthen, eldest son of the then duke of Leeds, and are now vested in the present duke.

TABLE V.—(FIFTH BARONY.)



* If this Henry was eldest son of Arthur, as stated by Dugdale, the barony created by the writs of summons of the 1 and 5 queen Elizabeth would now be vested in the earl of Darnley, heir general of Gervase lord Clifton, by Catharine Darcy.

† By his death without surviving male issue, it is presumed the barony limited to the heirs male of the body of Coniers lord Darcy, 17 Car. I. terminated; and the barony of Darcy returned into abeyance between the coheirs of Philip lord Darcy, who died in 1418.—(*Vide Tab. 2.*)

D'AUBENEY.—(23 Edw. I.)

ELIAS D'AUBENEY ^a had summons to parliament in the 23, and from thence to the 33 Edw. I., inclusive. In the 29 Edw. I., though summoned to the parliament at Lincoln, he was one of those who did not affix their seals to the memorable letter then addressed by the barons to the pope.* To him succeeded

* *Dug. Lists of Sum.*

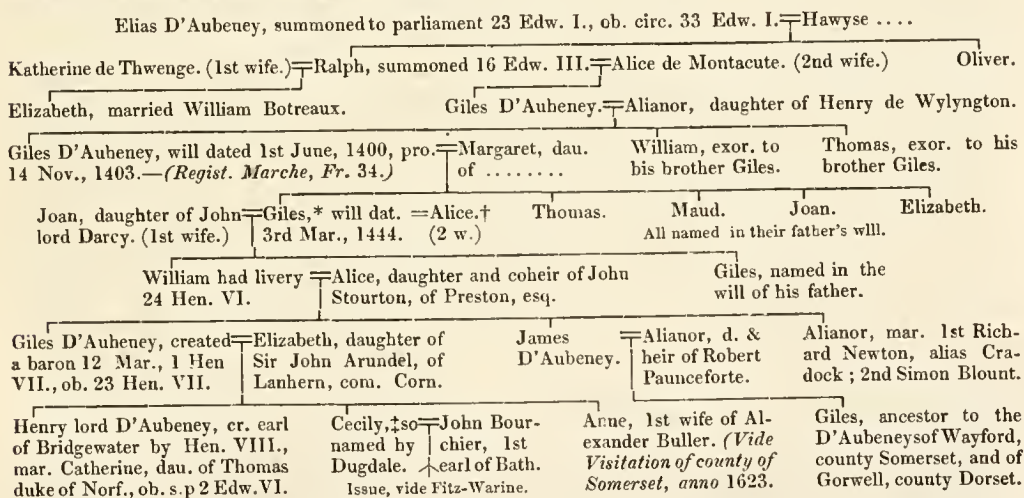
Ralph D'AubeneY, his son and heir, who had summons the 16 Edw. III. to a great council called to meet at Westminster, but which was prorogued,† and he was never summoned after. By Catherine his first wife, one of the sisters and coheirs of Thomas baron de Thwenge, he had an only daughter Elizabeth, who on the part of her mother, became one of the coheirs to the barony of Thwenge, and married William Botreaux; but by Alice his second wife, daughter of the lord Montacute, he had Sir Giles D'AubeneY, his son and heir, ancestor to Sir Giles created a baron by king Hen. VII., and his son Henry afterwards advanced to the title of earl of Bridgewater by king Hen. VIII.

† *Ibid.*

Of the name of D'AubeneY, it is recorded that John D'AubeneY held the manor of Kingesham in the county of Gloucester, by the service of keeping the king's pantry door, which service he performed at the coronation of Edw. I.‡

‡ *Placit. Coro.*
15 Edw. I.
Glouc.

Another Record recites, viz.: Elias, son and heir of John D'AubeneY, had livery of Kingesham, in the county of Gloucester, *Ten' in cap' p' ser'cium custodiendi ostium pan-tariae R. die coron. R.*—(*Orig.* 19 Edw. III., *Rot.* 10, *Glouc.*)



* He had an elder brother John, not mentioned in his father's will, but noticed by the inquisition, 4 Hen. IV., as son and heir, &c. 14: he died in his minority; Giles his brother and heir.

† She was his third wife: his second was Mary, daughter and coheir of Simon Leake, of Cotham, co. Notts., by whom he had a daughter, heir to her mother, and who married Robert Markham.

‡ She is named Florence in the inquisition of her brother.

^a He was descended from Ralph D'Albini, son of William D'Albini, surnamed Brito.—(*Vide Dug. Bar. vol. i., p. 116.*)

D'AUNEY.—(1 EDW. III.)

NICHOLAS D'AUNEY, lord of the manor of Shunock, in Cornwall, had summons the 1 Edward III. among the earls and barons to attend at Newcastle, *equis et armis*, but his name is not mentioned in either of the writs of summons of the same year to the parliaments at Lincoln or York; so that it cannot be inferred from this single writ, that he was thereby created a baron of the realm; though Dugdale has given him a place in his History of the Baronage. And here it may be observed that the names of Robert de

* Vide vol. ii. Arderne, and Galfrido Wyth,* are recited in the very same writ of summons, and yet are omitted all notice by the said baronagian in his historical detail.

John D'Aune son of Nicholas had a daughter and heiress Emma or Emmeline, who married Edward, eldest surviving son of Hugh, the second Courtenay earl of Devon. But from Thomas, brother to this John, and called by him the eldest, Lodge in his History of the Irish Peerage,† derives the family of Dawncey viscount Downe, in Ireland.

† Vol. iii.,
p. 103-4.

D'EINCOURT.—(22 EDW. I.)

OF this very ancient and eminent family was Oliver D'Eincourt, who married Nichola, granddaughter and heiress of Nichola de Haya, (a great woman in Lincolnshire,)‡ and by her had issue, John, father of Edmund D'Eincourt, which

‡ Vide Dugd.
v. i. p. 387,
and Blore's
Rutland, p. 150

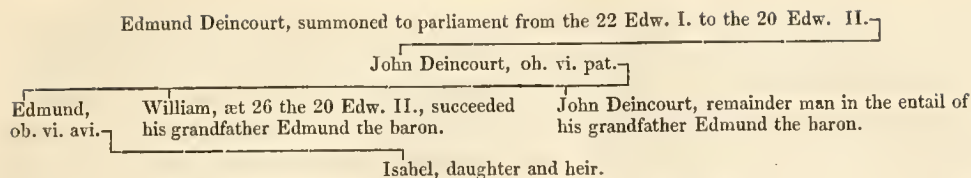
Edmund D'Eincourt had summons to parliament the 22 Edw. I., and afterwards from the 27 Edw. I. to the 20 Edw. II. In the 29 Edw. I., he was one of the barons, who, in the parliament at Lincoln, subscribed their names and seals to the famous letter to the pope, asserting the supremacy of England over the realm of Scotland, on which occasion, he was written "*Edmundus de Eyncourt Dominus de Thurgarton.*" The 1 Edw. II., he was one of the nobles summoned to attend the coronation of that monarch.§

§ Coron. Rot.
1 Edw. II.

This Edmund had a son John, who died before him, leaving a son Edmund, who also deceased in his lifetime, and William another son, who survived his grandfather; but the said last named Edmund, (the grandson,) had issue an only daughter Isabel,|| who was his heiress, and upon the death of Edmund the baron, her great-grandfather, was his heir general, and as such intitled to the succession of the barony created by the writs of summons. He however, considering that his name and arms thus descending to her, would be extinguished, petitioned king Edward for liberty to assign his manors and arms, to whomsoever he pleased; which request the king complied with, and gave him letters patent to that effect,¶ by virtue whereof, the said Edmund settled his manors, lands, &c., on William, the second son of John Deincourt, and to his heirs begotten, &c.; and in default thereof, to John, brother of the said William.

|| Esch. 20
Edw. II., No.
39.

¶ Rot. Pat. 7
Edw. II. Pars.
2, m. 21.



WILLIAM DEINCOURT.—(6 EDW. III.)

THIS William, succeeding his grandfather according to the settlement and entail before mentioned, had summons to parliament from the 6 to the 37 Edw. III., and had livery of the manor or barony of Blankney, in the county of Lincoln, and various others. He died circ. 3 Ric. II., when William his grandson, (son of William his son, who died vi. pat.) was found his heir. This

William, second baron Deincourt, (of the second creation) is so named by Dugdale in his Baronage, and is said to have been summoned to parliament the 4 and 5 of king Richard II., but in those writs the christian name is printed *John* and not *William*.^a He died about 5 Ric. II., leaving Ralph his son and heir, who died 3 Hen. IV., under age, s.p., leaving John his brother and heir, who never had summons to parliament, and died at an early age, the 7 Hen. IV. He married Joane, daughter and heir of Robert lord Grey, of Rotherfield, and had issue William his son and heir, and two daughters, Alice and Margaret: the said William, the son, died the 1 Hen. VI., *infra ætatem*, s.p., leaving his two sisters his coheirs; of these, Alice married first, Ralph Boteler of Sudley, s.p., and secondly, William lord Lovel of Tichmersh;—and Margaret married Ralph lord Cromwell, and died s.p. The descent therefore of the barony became vested in the issue of lord Lovel, by Alice his wife, sole heir as well to the barony of Deincourt as to that of Grey of Rotherfield; but Francis, baron and viscount Lovel, her grandson, being attainted in 1487, these baronies, together with all his honours, were forfeited.

D'EIVILL.—(49 HEN. III.)

JOHN D'EIVILL descended from Robert D'Eivill, who in the time of Hen I. was enfeoffed of the manor of Egmonton in the county of Nottingham, was a person of considerable

^a A MS. Ped. penes auctore, calls him *John*, and not *William*, which appears the more probable, as his second son was named *John*, who succeeded his elder brother Ralph. The same pedigree states that William who died vi. pat., had two sons, William who died young, and John who succeeded his grandfather.

note in the reign of Hen. III., by whom he was constituted Warden of all the forests north of Trent the 44 Hen. III., governor of York castle the 47 Hen. III., and governor of the castle of Scarborough; but nevertheless, he became one of those who strongly adhered to Simon de Montfort, and the other barons in arms against the king; and on the calling of that parliament in the king's name, the 49 Hen. III., he was one of the barons summoned thereto; but at length he made his peace, and taking the benefit of the *Dictum de Kenilworth*, had restitution of his land, but never after had summons to parliament, nor any of his descendants. He married Maud, the widow of Sir James de Aldithley, which is all Dugdale notices of him.

DE LA BECHE.—(16 Edw. III.)

NICHOLAS DE LA BECHE, an eminent person in the wars of France, temp. Edw. III., had summons the 16 of the same reign, to a great council to be holden at Westminster, but never after had any similar summons; yet while Dugdale only mentions this solitary summons, it appears by the rolls of parliament, that *Nicholas de la Beche*, was one of the *triers of petitions in parliament* the 14 Edw. III., with the several earls and barons nominated to the same purpose. Mr. Lysons in his *History of Berkshire*,* states that he died s.p., and that his estate at Aldworth (where he had a castle) passed to the sisters of John de la Beche, who was probably a brother to Nicholas.

* P. 232.

DE LA MARE.—(27 Edw. I.)

JOHN DE LA MARE, of Gersyndon in the county of Oxford, had summons to parliament from the 27 Edw. I. to the 7 Edw. II., to whose coronation he was summoned, among others of the nobles to attend.† In the 29 Edw. I., though summoned to the parliament at Lincoln, he was one of those who did not affix their seals to that memorable letter which was addressed by the barons to the pope. He had a daughter and heir Florence, who married Philip Orreby, whose son John died circ. 27 Edw. III., leaving Joane his daughter and heir, who married Henry Percy, and had a son Henry and a daughter Mary, who both died s.p.

† Coron. Rot.
1 Edw. II.

DE LA POLE.—(39 Edw. III.)

MICHAEL DE LA POLE, son of Sir William de la Pole, (a rich merchant at Hull, who had lent the king several thousand pounds of gold when at Antwerp, and was by him made a

banneret) had summons to parliament as a baron the 39 Edw. III., and from thence to the 8 Ric. II., the year after which he was advanced to the dignity of earl of Suffolk, whereby the barony became merged in the superior title. As his rise to honour and power was rapid, so his fall was sudden; for having from his great influence with the young sovereign made himself unpopular, and odious to the nobility, he was accused in parliament of divers misdemeanours, and of treason; to avoid which charges he withdrew himself abroad, and died an exile in France, the 12 Ric. II., being outlawed.

Michael de la Pole, his son and heir, obtained the judgment against his father to be annulled, and the 1 Henry IV. was fully restored* to the lands of his father, and to the earldom of Suffolk, with a declaration that if he died without issue male, the said inheritances should resort to the next heir male of the body of Michael his father. He died the 3 Hen. V., leaving

* Pat. Rot. 1
Hen. IV, m. 4
pars. 4.

Michael de la Pole, his eldest son and successor, who shortly after was slain in the battle of Agincourt, in October the same year, the 3 Hen. V. Having only issue female, the earldom of Suffolk devolved on William his brother and heir male; but the barony of De la Pole fell to his three daughters and coheirs general: of these, Catherine was a nun, and Elizabeth and Isabel both died unmarried, before the 10 Hen. V., as said by Dugdale. But Collins, in his Parliamentary Precedents,† asserts that Elizabeth married John de Foix, earl of Kendal, and died s. p.; and Isabel married Thomas lord Morley, and deceased also s. p. Yet Lodge, in his Peerage of Ireland,‡ says she had issue.§

† P. 216.

‡ V. ii., p. 167
§ Vide Rot.
Fin., 1 Hen.
VI, m. 5.

William de la Pole, heir male to his brother Michael, was advanced by king Henry VI. to the dignity, first of Marquess, and next of duke of Suffolk; but he eventually was beheaded, (though illegally) and attainted.

John de la Pole, his son and heir, was restored, and married Elizabeth, sister to Edw. the IV.; but Edmund his son and heir, the third duke, was beheaded and attainted, with whom all his honours became finally forfeited.^a

DE LA WARDE.—(28 EDW. I.)

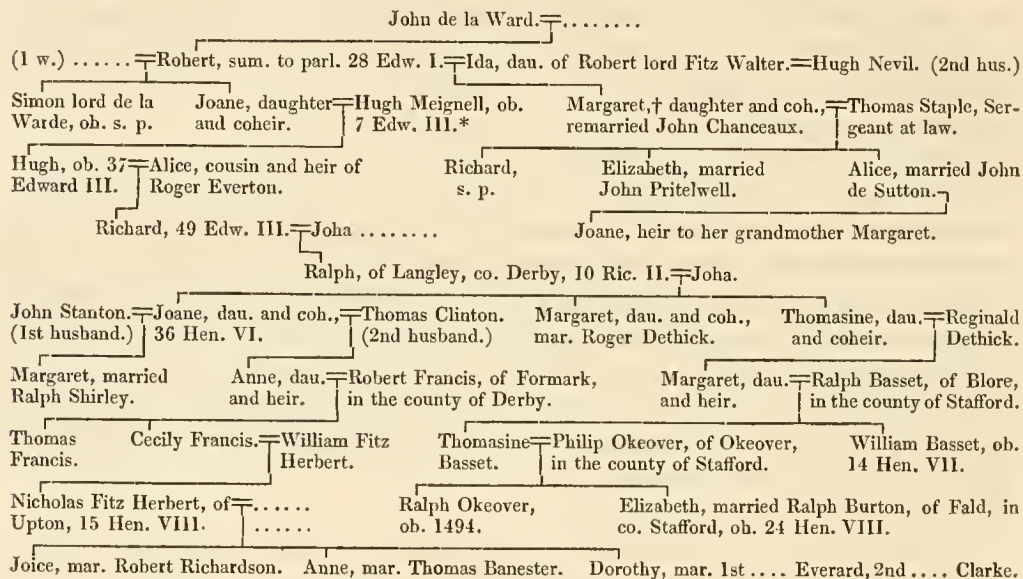
ROBERT DE LA WARDE had summons to parliament from the 28 to the 34 Edw. I. In the 29 Edw. I. he was one of those eminent men who affixed their seals, in the parliament at Lincoln, to the letter then addressed by the barons to the pope, being written "*Robertus de la Warde Dominus de Alba Aula.*" His son and heir,

^a Commissio Jacobi regis Scotiæ super sponsalibus et matrimonium inter Jacobum primogenitum et Dominam Annam nepotem dicti regis Angliæ filiam unicam Johannis Ducis Suffolciæ. Dat. 29 Aug., 2 Richardi III.—(*Ayscough's Catalogue of Charters and Scotch Records*, p. 312.)

* Esch. 39,
Edw. III and
Orig., Rot. 13,
Essex.
† Esch. 13
Ric. II.

‡ Ibid.

Simon de la Warde was summoned from the 18 Edw. II. to the 8 Edw. III. He died s.p., his sisters being his coheirs; whereof Joane, the eldest, married Sir Hugh Meynill; and Margaret (who was by the second wife of Robert de la Warde)* married Thomas Staple, sergeant at arms to king Edw. III. The said Margaret on the death of Thomas Staple, remarried with Sir John Chanceaux, and died in 1389.† By her first husband Staple, she had a son Richard who died s.p., and two daughters, of which Elizabeth married John Pritelwell; and Alice married John de Sutton, and had a daughter Joane, one of the coheirs to Margaret De la Warde.‡



* He was of Langley Meynell in the county of Derby, and of Newton in the county of Warwick. His issue by Joane De la Ward assumed the arms of De la Ward, which the Meynells of Derbyshire thenceforth continued to bear.—(*Brook's MS. Baron.*)

† An entry in the College of Arms by T. C. Brooke, Somerset Herald, (no. 6) makes Simon and Joane to be the issue of Robert De la Ward by Ida Fitz Walter, but the following record cited by Morant in his history of Essex (vol. i., p. 309) shows they were issue by his first wife, viz.; "Shapland Manor in com' Essex datum fuit per Robt. Fitz Walter cum Ida filia Roberto De la Ward tentum in capite de honore Bolonie. Ida (sive Idonea) fuit uxor secunda Prædicti Roberti per quam Margareta filia et cohæres per primam uxorem habuit Jobannam filiam nuptam Hugoni de Meynell." Morant then says the said Margaret married Thomas Staple, and they two held jointly along with Joane and Hugh Meynill a moiety of the manor of Shapland. Thomas Staple, Sergeant at Arms to king Edw. III., ob. 1372, and was buried at Shapland. Margaret re-married Sir John Chanceaux, ob. 1389.—(*Esch. 13 Ric. II.*)

DE LA WARRE.—(22 EDW. I.)

ROGER LA WARRE had his first summons to parliament the 22 Edw. I.; but, although no place nor time of meeting was appointed in the writ, yet is certain a parliament was holden in that year, at Westminster.§ After this, he had summons from the 27 Edw. I. to the 4 Edw. II., to whose coronation he was also summoned.||

§ Placita in
Parl. 22 Ed. I.
|| Coron. Rot.
1 Edw. II.

In the 29 Edw. I., he was one of those who in the parliament at Lincoln signated the letter then addressed by the earls and barons of England to the pope, being then written "*Rogerus de Warre, dominus de Isefield.*" He married Clarice, eldest of the daughters and coheirs of John de Tregoz, baron of Ewyas Harold, in the county of Hereford, and dying circ. 14 Edw. II., was succeeded by

John le Warre,* his son and heir, who had summons vitâ patris, the 1, 2, and 3 Edw. II. The 5 Edw. II. he is styled a baron, the writ of that year distinguishing the persons summoned by their respective ranks, viz: *comites et barones*.† From this period he continued to be summoned to the 16 Edw. III., and died the 21 of the same reign. He married Joane daughter of Robert, and sister and heir of Thomas de Grelle, or Gresley, and thereby acquired the manor of Manchester, in the county of Lancaster. He had a son John, his eldest son, who died in his lifetime, leaving by Margaret his wife a son Roger, heir to his grandfather, which

* Dugd. Lists of Summ.

† Ibid.

Roger, third lord De la Warre, had summons the 36 and 37 Edward III. He was in the celebrated battle of Poitiers, where John the French king was taken prisoner, the honour of whose capture was given to him and Sir John Pelham, and they had each a badge of distinction granted to them, to be borne in their arms in commemoration of so signal an action. He died the 44 Edw. III. By Elizabeth his first wife, daughter of Adam lord Welles, he had two sons, John and Thomas, whereof,

John le Warre, the eldest, was his successor, and had summons to parliament from the 44 Edw. III. to the 21 Ric. II., the year after which he died, s.p., leaving Thomas his next brother his heir, which

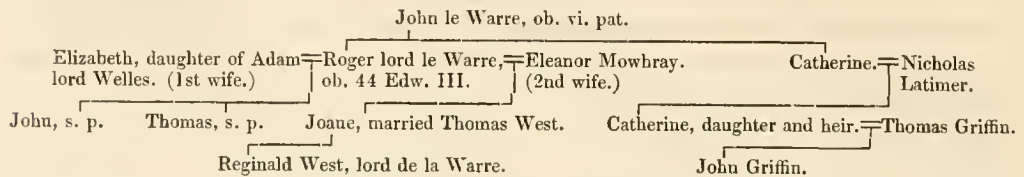
Thomas le Warre was a priest, rector of the church of Manchester, and had summons to parliament from the 23 Ric. II. to the 4 Hen. VI., by the appellation of "*Magistro Thomæ de le Warr,*" the year which he died, s.p. With him terminated the male succession of Le Warre; but Roger le Warre, father of the last barons, John and Thomas, had by his second wife Eleanor, daughter of the lord Mowbray, an only daughter Joane, who married Thomas lord West, whose son Reginald West, by reason of this descent, was afterwards summoned to parliament as "*Reginaldo la Warre, chiv*." The ground of this succession is thus recited, in Dodderidge's Treatise of Nobility, viz: "that Thomas lord de la Warre being seised in fee tail of certain demesnes, under a fine levied in the time of his ancestors, of the barony of De la Warre, had died s.p.; and Reginald West, of the half blood, was next heir, by reason of the entail." From this it is to be deduced, that the succession to the barony was in this instance governed by the succession of the baronial estate, and not by any right derivable from the writs of summons as creative of a personal descendable dignity.

Mr. Edmondson in his "*Baronagium Genealogicum,*" recites the Inq. p. m. of the 5 Hen. VI., on the death of Thomas, the last lord De la Warr, to run, viz.; "That

John Griffin was the heir general of Thomas lord De la Warre, viz.; son of Thomas, son of Catherine, daughter of Catherine, sister to John, father of Roger, father of the said Thomas lord De la Warre, and then thirty years of age and upwards.”

* P. 228.

Mr. Collins, in his *Baronies in Fee, or Parliamentary Precedents*,* makes the descent of John Griffin very differently, which is the same as in Doderidge's *Treatise*; they both stating it as under :

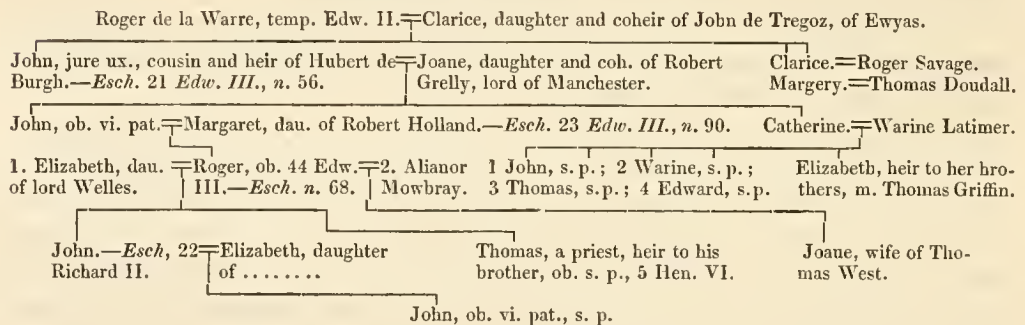


Collins's statement was most probably copied from Doderidge.

The following pedigree by Vincent more accords with the *Inq. p. m.*, cited by Edmondson; but makes Catherine Le Warre to have married Warine Latimer, whose daughter, and eventually heiress, Elizabeth, married Thomas Griffin.†

† Vid Latimer of Braybrooke.

DE LA WARRE.—VINCENT, 284.



After the succession of the family of West to the barony of De la Warre, it appears that Thomas West, grandson of Reginald, and the third of his name baron, by his first wife, Elizabeth Mortimer, had a son Thomas, the next and fourth baron, who died s.p., and by his second wife Eleanor Copley, had three sons, viz., Owen, George, and Leonard. Of these Owen, the eldest, left a daughter, and eventually sole heiress, who married Sir Adrian Poynings, and after his death, Sir Richard Rogers, knight. By Sir Adrian she had issue three daughters, coheiresses as it may be considered to the baronies of *West*, and *West Delawarre*; and between their representatives still extant. Those baronies on the precedents of modern decisions remain in abeyance; nevertheless the

barony of De la Warre, on the death of Thomas the fourth baron, went to the issue of his half brother George, younger brother of Owen West. On the legal ground of succession, Mary, daughter and heiress of Owen West, was entitled thereto, and her daughters were her coheirs; but it is said that Sir Adrian Poynings, her first husband, was an *alien born*; which may account for the otherwise passing over her interest to the next male line.

Sir Harris Nicolas† observes, it is a singular fact, that in the proceedings on this barony, temp. Eliz., no allusion is made to this Mary, or her descendants; and in the last report of the Committee of the House of Lords, on the dignity of a peer of the realm, it is also silent on the subject.

* Peerage
Synopsis vol. i.
p. 184.

DENNY.—(2 JAMES I.)

SIR EDWARD DENNY, OR DENNEY, had summons to parliament by writ directed "*Edwardo Denney de Waltham, Chiv. teste &c. 27 Oct., 2 James I.,*" and from thence to the 1 Charles I. He was afterwards created earl of Norwich, in 1626, and died in 1630, without issue male, whereby his earldom became extinct; but the barony devolved upon his daughter and heiress, who married James Hay, who the 13 James I. was created lord Hay, of Sauley, in the county of York; and afterwards viscount Doncaster, and earl of Carlisle. By Honoria Denny he had issue a son James, second earl of Carlisle, and also a daughter Anne, who died young. James the earl dying s.p., the barony of Denny, and all the other titles became extinct.

DESPENCER.—(49 HEN. III.)

HUGH DESPENCER was chief-justiciary of England, and one of the principal barons who sided with Simon de Montfort against Hen. III., and was summoned to the parliament called by the confederate lords in the king's name, the 49 Hen. III. He was afterwards slain with Simon de Montfort, in the battle of Evesham.

Hugh Despencer his son, was summoned to parliament from the 22 Edw. I. to the 15 Edw. II.,^a when he was created earl of Winchester;* but in the several writs from the 8 Edw. II. he was styled *Senior*, to distinguish him from his son Hugh, styled *Junior*, who had summons until the 19 Edw. II., when they were both executed, the father at Bristol, being then 90 years of age, and the son at Hereford.

† Chart. 15
Edw. II.

^a As Hugh le Despenser he was summoned to the coronation of Edw. II.

Hugh, son of the last named Hugh, however found so much favour from Edw. III., that he had summons to parliament from the 12 to the 22 Edw. III., but died the same year, s.p., leaving Edward his nephew, (son of his brother Edward deceased) his next heir, which

Edward had summons from the 31 to the 39 Edw. III., and dying the 49 Edw. III., was succeeded by his son Thomas, who had summons in the 20 and 21 Ric. II., and was created earl of Gloucester, by which title he thenceforth had summons to parliament: but he was afterwards degraded from his title of earl of Gloucester, beheaded and attainted the 1 Hen. IV., and his honours became forfeited. He had a son Richard, and two daughters, Elizabeth and Isabel. Richard the son died *infra ætatem*, s.p.; and Elizabeth having also died young, Isabel became sole heir, and married Richard Beauchamp lord Abergavenny, and earl of Worcester, by whom she had an only daughter and heiress Elizabeth, who married Edward Neville, as under the article Abergavenny, has been before noticed.* The barony of Despencer thus remained dormant, as one forfeited, till Mary, sole daughter and heir of Henry Neville, fourth lord Abergavenny, claimed that barony, which being confirmed to the heir male possessor of the castle of Abergavenny, she, as an equivalent, had conferred upon her the barony of Despencer, though it was not claimed by her, and was at that time forfeited. It is rather matter for observation, that on this occasion she had the precedence given to her above Abergavenny; whereas the barony of Despencer could not claim prior to the 49 Hen. III., which writ could not be considered a summons to a regular parliament, and therefore not creative of any hereditary dignity; while on the contrary, Abergavenny was a barony by prescription, whereof every possessor from the time of the conquest had the reputation of a baron, and had been summoned to parliament after that form was brought into practice.

* Vide Abergavenny.

This lady married Sir Thomas Fane, whose grandson Mildmay was created earl of Westmorland, from which title the barony of Despencer separated on the decease of John, the seventh earl, s.p.m., when his two sisters, Mary married to Sir Francis Dashwood, and Catherine to William Paul, esq., became his coheirs general. The abeyance was determined in favour of the Dashwood family; which, failing of issue, the barony was thereafter given to Sir Thomas Stapleton, bart., grandson of Catherine Paul, and in his heirs general it now remains.

PHILIP DESPENCER.—(11 Ric. II.)

PHILIP DESPENCER (presumed of the same family)^a had summons from the 11 Ric. II. to the 2 Hen. IV. He married Elizabeth, the youngest of the three daughters and heirs

^a He is said to have been grandson and heir of Philip Despencer, a younger son of Hugh earl of Gloucester.

of Robert de Tibetot, and had a sole daughter, Margery, who married Roger Wentworth, esq.; of whose descendants Dugdale does not make mention; but in whom this barony is vested.

This Margery (though unnoticed by Dugdale) was first married to John lord Roos, who was slain, with the duke of Clarence, at Baugy Bridge, temp. Hen. V., s.p., and leaving her a young widow, she had dower in the castle of Hamlake and other lordships in the county of York, and married Roger Wentworth to her second husband,* by whom she had issue† Sir Philip, of Nettledes, from whom is descended the present baroness Wentworth, of Nettledes; and Henry Wentworth, of Codham, in Essex, esq.—(*Vide Wentworth of Nettledes.*)

* Vide Esch. 2
Hen. VI.
† Inq. 18 Edw.
IV.

DEVEREUX.—(27 EDW. I.)

WILLIAM DEVEREUX had summons the 27 Edw. I., as *William de Ebroicis*, but never after; but in 1384, John Devereux, who appears to have been his grandson, had summons from the 8 to the 16 Ric. II. He died in 1394, leaving John his son and heir, who died *infra ætatem*, s.p., leaving Joan his sister and heir, who married Walter lord Fitz Walter, and thereby united this barony therewith.

DEVON.—(1 QUEEN MARY.)

THIS title being one of an earldom may be considered as not properly coming within the subject of this work, with reference to baronies by writ; but, being an anomaly in the usual limitation of the descent of English peerages, it forms an interesting topic for notice.

The earldom of Devon came into the family of Courtenay by female succession, as heir general to Richard de Redvers, who had the earldom of Devon granted to him and his heirs, by king Henry I.; who dying in 1262. s.p., his sister Isabel was his heir, who styled herself countess of Devon, and married William de Fortibus, earl of Albemarle; whose only issue which survived, was Aveline daughter and heir, who married Edmund Plantagenet, earl of Lancaster, and died s.p.; whereupon Hugh Courtenay became next heir to the said Aveline, and Isabel de Fortibus her mother: viz., son and heir of Hugh eldest son of John, son and heir of Robert de Courtenay by Mary, sister of Baldwin de Redvers, (who died *vita patris* William the sixth earl), father of Baldwin the seventh earl, grandfather to the said Isabel. To this Hugh Courtenay king Edward III. allowed the earldom of Devon, with the third penny of the issues of the county whereof he was earl.

From this Hugh descended Thomas Courtenay, the sixth earl of Devon, who was attainted and beheaded in 1461, when his honours became forfeited. Afterwards in the

first of King Henry VII., Edward Courtenay, son and heir of Hugh, eldest son and heir of Hugh Courtenay next brother of Edward the third earl, was created earl of Devon, to him and the heirs male of his body. This was a new creation, because the attainder of earl Thomas remained not reversed. This new earl died in 1509, leaving a son and heir William, who having been attainted in his father's lifetime, could not inherit the earldom; but having married the lady Katharine Plantagenet, daughter and coheir of king Edward IV., and sister of the queen consort, mother of king Henry VIII., he was by that king created earl of Devon 10th May, the 3 Henry VIII., to hold to him and the heirs male of his body. He died the same year, and left issue a son Henry, which

Henry succeeded to the earldom created in the person of his father; and having obtained the reversal of his father's attainder, he became earl of Devon, also under the patent of the 1 Henry VII. to his grandfather; after which, the 17 Henry VIII., he was created marquis of Exeter, to hold to him and the heirs male of his body; but, nevertheless, in the 31 Henry VIII., he was attainted of high treason and beheaded, which attainder has never been reversed.

Sir Edward Courtenay his son and heir, in consequence of this attainder, did not succeed to his father's honours; but on the accession of queen Mary, he was by patent, dated 3rd September, 1553, (1 queen Mary) created earl of Devon, to hold to him and his *heirs male for ever*—a very unusual limitation in English peerages. In the October following, he was fully restored in blood, but his father's attainder still remaining unreversed, he could not succeed to the earldom of Devon, created either by the patent of the 1 Hen. VII., or that of the 3 Hen. VIII., or to the marquisate of Exeter. Dying afterwards at Padua, in Italy, 18th September, 1556, unmarried, the issue of his great aunts, Isabel Mohun, Maud Arundel, Elizabeth Trethurffe, and Florence Trelawney, the sisters of Edward, created earl of Devon the 1 Hen. VII., were found his next heirs. But Sir William Courtenay, of Powderham, lineally descended from Sir Philip Courtenay, of Powderham, a younger son of Hugh, the second earl of Devon, who died the 51 Edw. III., was his then next heir male, he died shortly after earl Edward, viz., 29th September, 1557,* leaving William his son and heir, who, nor any of his male issue ever assumed to claim the earldom, till the late viscount Courtenay preferred his petition to be allowed the same, after a lapse of above two hundred and fifty years, and during which time they had seen the title granted by the crown, first to Blount lord Montjoy, and upon his death s.p.m.l., to the lord Cavendish, in whose family it still remains merged in the higher dignity of duke of Devonshire. Had not the earldom been deemed extinct upon the death of earl Edward Courtenay, s.p. in 1556, it can scarcely be supposed it would have been conferred on other noblemen who were not in any way connected with the Courtenay family.

* Devon Case.

It was suggested in the case submitted to the lords' committees of privileges by lord Courtenay, that the patent itself was presumed to have passed with the title deeds of the lands to the heirs of the earl, and did not fall into the hands of the heir male.

Assuming this to be true, there nevertheless was a course to have been adopted to discover it by a research at the record office, from which the copy brought forward on this occasion was obtained.

Yet, the idea of any right vested in the heir male, seems totally to have been unthought of, not imagined, or the heir male of this ancient and proud family would not have subsequently condescended to accept the very inferior title, first of a baronet, and afterwards of a viscounty of so late a creation. The many claims to Scotch peerages, which have been preferred to the House of Lords, whereof the titles had been granted by the kings of Scotland to heirs male, without the words *de corpore*, to confine the descent to the male issue of the party ennobled, were referred to, as precedents similar to the words *heredibus masculis in perpetuum*, recited in the patent to earl Edward Courtenay. But it is to be observed, that in the Scotch charters of peerage creation, the words generally are "*heredibus suis masculis quibuscunque*," or "*heredibus masculis nomen et arma familie gerentibus*" thus clearly declaring to what heirs male the same should descend; which words not being in the Courtenay patent, leaves it rather to be believed that the words *de corpore suo*, were left out by accident on the part of the copying clerk, and were not so by design or intention of the queen.

One point remains deserving particular notice, which is, that the viscount Courtenay, the petitioner, was at the time of bringing forward his claim, labouring under the imputation of an infamous crime, for which a true bill of indictment had been found against him; to which instead of remaining to face the accusation, and have his innocence tried, he had left the kingdom, and for many years resided abroad. Being thus an exile from the House of Lords in which he had a seat, and yet dared not take it, the assumption of seeking an higher dignity in the same parliamentary assembly, is probably an instance of setting law at defiance rarely known.^a

Had such a claim, however well founded, been brought forward by a person in more humble life, and less powerful connexion, labouring under a similar imputation, which he had not ventured to meet, it may be doubted whether he would even have obtained an attorney-general's report, much less the approbation of the House of Lords.

DINAN.—(23 EDW. I. AND 6 EDW. IV.)

OLIVER DINAUNT, or DINAN, had summons to parliament from the 23 to the 28

^a Sometime after the imputation against lord Courtenay had become a subject of public talk, the then marquis of Carmarthen brought it forward in the House of Lords, but their lordships deeming that to entertain any motion on so delicate an affair, would reflect no honour upon their body, the motion of the marquis was not pressed to the adoption of any proceedings.—(*Vide the Diurnal Papers of the day.*)

Edw. I.,^a but not after. He had issue Josce his son and heir, but neither he nor any of his descendants had the like summons till the reign of Edw. IV., when

John, (then written Dynham) supposed to be the great-great-grandson, was called to parliament by writ directed "*Johanni Dinham de Care Dinham, Chiv'*," from the 6 Edw. IV. to the 12 Hen. VII. He died circ. 1509, in which year his will was proved, dated 7 January 1505; not having any legitimate issue, the barony, considered to be one *de novo*, expired with him. But nevertheless presuming him to have been the heir representative of Oliver, summoned the 23 Edw. I, then any barony created by that writ, did upon his death s.p.l., become in abeyance among his sisters and coheirs; whereof Elizabeth married first, Fulke lord Fitz Warren—secondly, Sir John Sapcoate, knight; Joane married John lord Zouche of Haryngworth; Margaret, Sir Nicholas Carew, knight; and Catherine, Sir Thomas Arundel, knight.

Respecting this lord Dynham it is to be observed that Francis Thynne, in his Catalogue of lord Treasurers, p. 1254, says he was created lord Dynham in the 1 Edw. IV., shortly after his coronation, and that he died the 16 Hen. VII., on the 30th January, 1500, and was buried in the Grey Friars, London,^b that he married Elizabeth, daughter of the lord Fitz Walter, and had issue George, Philip, and four daughters, viz.; Margaret, Joane, Elizabeth, and Catherine. Dugdale, on the authority of Stow, says the lord Dynham died the 17 Hen. VII., 1501.

Lysons mentions in the first volume of his Environs of London, page 284, that there was a tomb formerly in the chancel of Lambeth church for George, son of John lord Dynham, who died in 1487, and for Philippa his daughter, who died in 1485.

At Radnage, in the county of Buckingham, is the following monumental inscription, viz.: "*Here lieth William Tyer, Preacher of God's worde, late Parson of Radnage, who took to wife Jane, daughter of George Dynham, Son of Sir Thomas Dynham, Knt., Son and heir of John lord Dynham, and departed this life the 3rd day of August, A. D. 1605.*" This Thomas is however stated to have been a *natural son* of the lord Dynham; yet, under these conflicting statements, the true fact is rather difficult to be ascertained. It is to be noticed, notwithstanding that the barony of Dynham may be considered to have expired, there was a baronial descent vested in his coheirs, derived from the marriage of John Dinan, or Dynham, his great grandfather, with Joan (or Muriel), daughter and co-heir of Sir Thomas Courtenay by Muriel his wife, one of the daughters and coheirs of John baron de Moels, who died the 11 Edw. III.—*Vide Moels*.

^a Though his name is included in the first writ of this year to a parliament at Westminster, it appears he died the 27 Edw. I., when Josce his son and heir had livery of his lands.—(*Originalia* 27 Edw. I., Rot. 6.)

^b Ex Reg. Grey Friars. D'ns Joh'is Dennha' Baro qui ob. 23 January, 1501.

DUDLEY.—WARD.—(3 WILL. III.)

THIS is a most ancient barony, which by the possession of the castle of Dudley, passed by an heir female of Paganel to the family of Someri,* and in like manner from Someri to Sutton;† and by the marriage of the heir general of Sutton into the family of Ward; but it is questionable, whether, as a barony by the title of Dudley, it ever was specifically used, or allowed, till it was so recognised in the name of Ward. * Vide Someri. † Vide Sutton.

Sir Humble Ward, in the time of Cha. I., married Frances, granddaughter and then sole heiress apparent to Edward *lord Sutton de Dudley*, and was created baron Ward, of Birmingham, in the county of Warwick, March, 1643-4. His son

Edward Ward, upon his father's death, sat first in parliament, 5 Dec., 1670, as lord Ward; and upon the decease of his mother, sat first in parliament, the 28 Jan., 1697, as lord Dudley and Ward. He died in 1701, and was succeeded by Edward his grandson, (son of William his eldest son, who died vi. pat.,) which

Edward, second lord Dudley and Ward, died in 1704, leaving Edward his only son and heir, baron Dudley and Ward, who died unmarried, in 1731, whereupon the said baronies devolved upon his uncle William, which

William, fourth baron Dudley and Ward sat first in parliament, 2 May, 1735, but died unmarried, in 1740, on which event the two baronies separated; that of Ward being limited to the issue male of Humble the first lord Ward, devolved upon the next heir male, John Ward, of Sedgley Park, in the county of Stafford, esq.; and the barony of Dudley descended to the issue of Frances (then dead) sister and heiress to the deceased baron. She married William Lea, of Hales Owen Grange, in the county of Salop, esq., and had

Ferdinand Dudley Lea, her son and heir, who having had summons to parliament, took his seat as baron Dudley, 26 Nov., 1740. He died in 1757, unmarried, as did his brother William—whereby the barony fell into abeyance, and so remains between their five sisters and coheiresses, or their present representatives:—of these sisters, Anne married William Smith, of Ridgeacre, in the county of Salop, esq., and had issue; Frances married Walter Woodcock, esq., and had issue; Mary married — Harvey, esq.; Catherine married Thomas Jordan, esq.; and Elizabeth wedded the Rev. Benjamin Briseoe.

ECHINGHAM.—(5 EDW. II.)

ECHINGHAM is the name of a manor in the county of Sussex, in which the ancestors of this family were stewards of the Rape of Hastings, and held the said manor with its

members by the service of five knight's fees, and a third part; but none of the family are noticed as having had summons to parliament before the reign of Edw. II., when

William de Echingham is mentioned as having been summoned from the 5 to the 15 Edw. II. inclusive,* but when he died, who he married, or had issue, Dugdale is silent. By some authorities he is stated to have deceased the 20 Edw. II. s.p.; but according to Vincent,† and a pedigree among the Harleian MSS.,‡ he is represented to have married and had issue; and Camden recites that the inheritance of the Echingshams by heirs female, passed to the barons Windsor, and the Tirwhitts; but none of his issue ever had summons to parliament.

* Dug. Sum.

† Vincent
Quid. non No.
6, in Coll. Ar.
‡ No. 1174, p.
85.

ROBERT ECHINGHAM.—(1 Edw. III.)

THIS Robert de Echingham is mentioned by Dugdale to have had summons to parliament the 1 Edw. III., and to have died the following year, leaving Simon, his brother and heir, who never had any summons, nor any other of the Echingham name, excepting the before mentioned William.

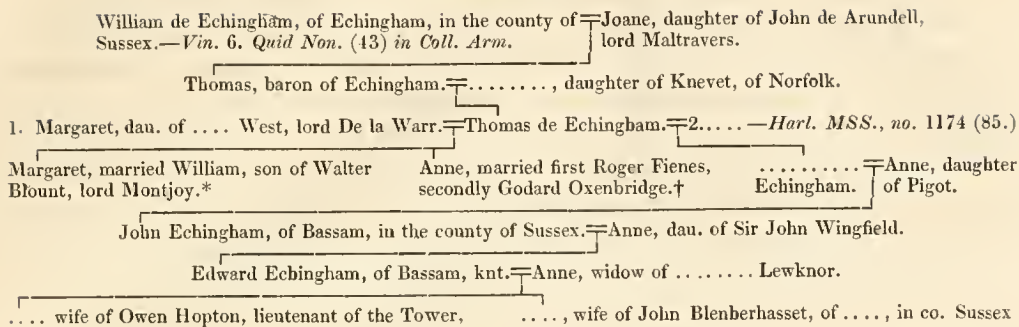
On referring to the writ of 1 Edw. III., it purports to be a summons *equis et armis*, but not to a parliament; the name is certainly among those of the earls and barons, and in such respect intimates him to be one, as Dugdale citing *Esch. 2 Edw. III. n. 18*, says Robert de Echingham died seised of the manor of Echingham, with its members, which he held by the service of five knight's fees, and a third part. There seems to be reason to believe that William the baron died s.p., according to the following pedigree:—

William de Echingham, ob. 21 Edw. I.		
William, ob. 20 Edw. II., s. p.	Robert, bro. & heir, ob. 2 Edw. III., s. p.	Simon, bro. & heir, ob. ante 15 Edw. III.

In the Harleian MSS., at the British Museum, is a pedigree of this family, as also one in the College of Arms, nearly agreeing with it, from which it might be assumed that the baron left issue a son Thomas, he being styled *Baro de Echingham*. Yet after William none had summons to parliament, but Robert; if that summons of the 1 Edw. III., can be allowed to be one. He however died s.p., which terminated any baronial claim derivable from him. These pedigrees, therefore, are merely given to be estimated so far as they may go to show a supposed baronial continuation of the family, till it terminated in female coheirs.

The name has sometimes been written *Echingham*, and *Itchingham*.

ECHINGHAM.



* The Harleian MS. differs from Vincent, and states her to have married, first, Edward Blount; and secondly, Sir John Elrington. These daughters were coheirs to their mother, but not to their father in the barony of Echingham. But Edward is certainly erroneous, as William was the right name, and so mentioned in the will of his father Walter Blount, lord Montjoy.

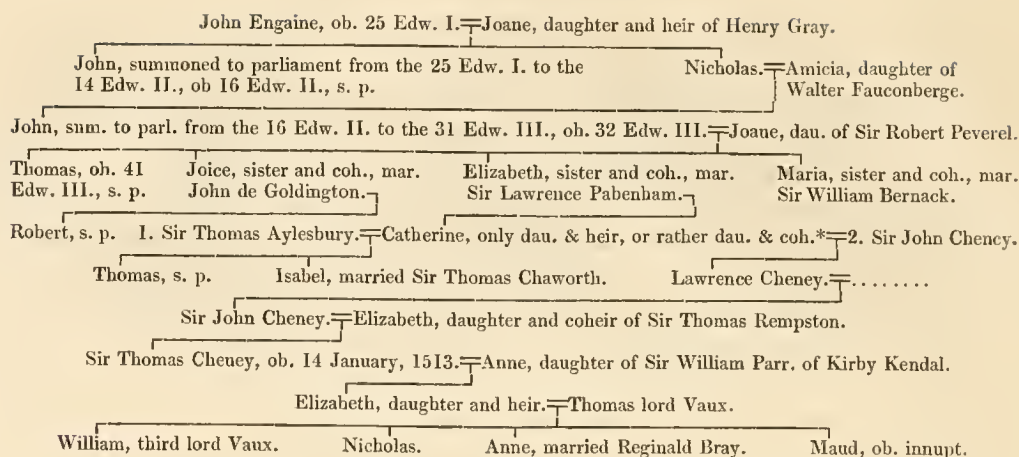
† She had issue by Roger Fienes, whereof a daughter Anne married Robert Hawley, of Ore and Guestling in Sussex.—(*Berry's Sussex, Genealog.*) And by Oxenbridge also issue, from which came Elizabeth, the wife of Sir Robert Tirwhitt, whose daughter and heiress Catherine married Sir Henry D'Arcie, knight.

ENGAIN.—(25 Edw. I.)

JOHN D'ENGAIN, lord of Blatherwick in the county of Northampton, had summons to parliament from the 25 Edw. I. to the 14 Edw. II., and died the 16th, s.p. He was one of those who in the parliament at Lincoln, the 29 Edw. I., subscribed his name and seal to the letter to the pope, being then written "*John de Engaine Dominus de Colum.*" He was also summoned to the coronation of Edw. II.

John Engaine, nephew to the preceeding John, (being son of his brother Nicholas) had summons to parliament from the 16 to the 34 Edw. III., though Dugdale in his Baronage states he died 14 February, 1358., which would be the 32 Edw. III., thereby contradicting his Lists of Summons, which contain his name in that of the 20 November, 34 Edw. III. He left issue one son Thomas, and three daughters, named in the record Jocosa, Elizabeth, and Maria, which Thomas was never summoned to parliament, and died s.p., 41 Edw. III., leaving his three sisters before named his coheirs, in whose representatives the barony may be considered in abeyance;^a of these ladies, Jocosa married John de Goldington; Elizabeth, Sir Lawrence Pabenham; and Maria, Sir William Bernack, knight.

^a Vide Harl. MSS. No. 1995. Mrs. Jane Shelley, heiress to the barony of L'Engaine.—(*Fol. 35, et seq.*)



* Monumental inscription at Launde, in the county of Leicester, of Sir Thomas Chaworth, names her daughter and coheir of Sir Lawrence de Pabenham.

ERDINTON.—(9 EDW. III.)

HENRY DE ERDINTON, whose name was assumed from the manor of Erdinton, in the county of Warwick, which manor his ancestors had by the grant of Gervase Pagancl, baron of Dudley, married Maud, one of the daughters and coheirs of Roger de Somery, by Nichola his first wife, one of the sisters and coheirs of Hugh de Albini, earl of Arundel, and by her had issue Henry his son and heir, which

Henry de Erdinton, in the 34 Edw. I., was created a knight by the ceremony of bathing, at the same time with prince Edward, the king's eldest son. Having served in the wars of Scotland, he was summoned to parliament among the earls and barons, the 9 Edw. III., but never after, nor any of his descendants. He married Joane, one of the daughters and coheirs of Sir Thomas de Wolvey, of Wolvey, in the county of Warwick, and had issue Giles his son and heir, whose son and heir Thomas was father of another Thomas, and he of a third Thomas living in the time of Hen. VI., who, Dugdale in his antiquities of Warwickshire, asserts was the last of the family which possessed the manor of Erdinton, or Erdington.

EVERINGHAM.—(2 EDW. II.)

ROBERT DE EVERINGHAM married Lucia, daughter and heir of Robert de Thwenge, and had issue Adam his son and heir, which

Adam de Everingham (of Everingham in the county of York) had summons to parliament from the 2 to the 9 Edw. II.; but, although he lived many years after, was never summoned again. This Adam entailed his manor of Laxton (or Lexinton) on Adam his eldest son, and in default of issue male, on Robert, Edmund, Alexander, and Nicholas, his younger sons successively. He died 15 Edw. III., (1341).*

* Esch. no. 33

Adam, his eldest son, was summoned to parliament the 44 Edw. III., as *Adam de Everingham de Laxton*, in which year he died, leaving Robert (son of William, who died in his lifetime) his grandson and heir;† which Robert never had summons to parliament, but died s.p., his sisters being his heirs; whereof, Joane married Sir William Ellys, knt., and Catherine John, the son of Thomas Elton, esq.; Joane who married Ellys, is said to have been married secondly to John Waterton.

† Esch. 33
Ed. III, no. 50

Whatever barony of Everingham might be acquired from the aforesaid writs of summons, became vested in the descendants of these coheiresses. But the ingenuity of a deceased learned herald,‡ with a view to gratify the ambition of a Scotch nobleman,§ to be a peer of England of ancient descent, made a pedigree for his lordship, which in Wood's edition of Douglas's Scotch Peerage is thus set forth.||

‡ Francis
Townshend,
W. H.
§ Earl of
Rosebery.
|| Vol. iv.
407-8.

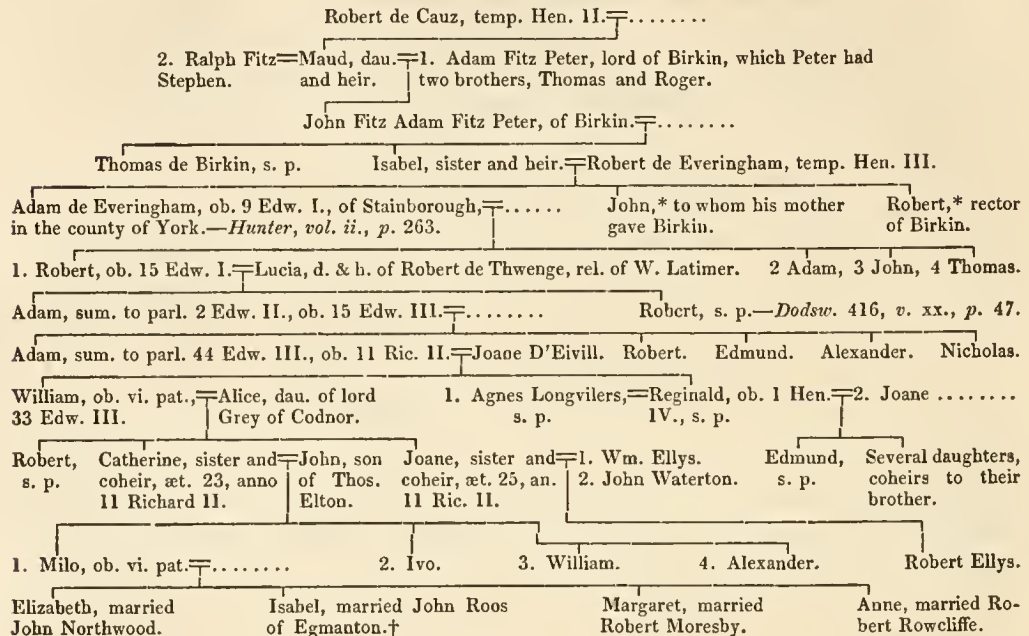
“Mr. Townshend, Windsor herald, made a report that William de Cressy was summoned to parliament in the 22 and 25 Edw. I.; and the earl of Roseberry is, by his grandmother Dorothea Cressy, lineally descended from, and heir general of the family of Cressy of Birkin, in the county of York, who doubtless came originally from the same stock, *though I do not find the descent expressly set down; yet it is certain that they always bore the same arms.* I find also that Adam de Everingham, knt., was summoned to parliament from the 2 to the 9 Edw. II., as was his son, in the 44 Edw. III.; that the said Adam de Everingham was nephew of John de Everingham, of Birkin, in the county of York whose lineal descendant, and heir general, Eleanor Everingham, married in 1587, to Gervas Cressy, and was great grandmother of Everingham Cressy, of Birkin, whose daughter and sole heir, Dorothea, became the wife of Archibald Primrose, earl of Rosebery, and was grandmother of the present earl, who by virtue of this descent is now heir general of the said families of Cressy and Everingham, and also to those of Birkin, Cawz, and Normanville,^a through Isabel de Birkin, mother of the said John de Everingham, and grandmother of the said Adam; but I do not find that either Birkin, Cawz, or Normanville were summoned to parliament. In virtue of this descent the earl of Rosebery is entitled to quarter the arms of these families with his own.”

After this laboured and farstretched statement, Mr. Townshend concludes merely with saying the noble earl is entitled to quarter the arms of these families; but cautiously avoids stating that he is entitled to the barony of Everingham, although he says that by

Dugdale does not mention this name in any part of his Baronage.

virtue of this descent, the earl is *heir general of the families of Cressy and Everingham*, both of which he commences with describing as having had summons to parliament, and thereby speciously intimating a right thereto.

CAUZ, BIRKIN, AND EVERINGHAM.



* Vide Dugd. Bar., v. ii. p. 55.

† His issue failed in the eldest male line, in the sixth descent from him, when William Roos of Egmonton left a daughter and heir Sarah, who married Edmund Laycock, and had issue, Richard, s. p., and two daughters; of which, Elizabeth married J. Dickinson, of Claypole, in the county of Lincoln; and Deborah, who married J. Ouseley, Rector of Paafeld in Essex.

FALVESLE.—(7 Ric. II.)

JOHN DE FALVESLE, lord of Falvesle, in the county of Northampton, had summons to parliament from the 7 to the 16 Ric. II., inclusive, about which time he died. He married Elizabeth sister and heir to John, son and heir of William lord Say, and is considered to have been summoned *jure uxoris*; but the writs being addressed *Johanni de Falvesley, chivalier*, they do not support that supposition: he however died s. p., which rendered the barony extinct in him, whether summoned as a personal creation, or in right of his wife.

FAUCONBERG.—(22 EDW. I.)

WALTER DE FAUCONBERG married Agnes, one of the sisters and coheirs of Peter de Brus,* lord of Skipton castle, in the county of York, and thereby acquired that baronial seat. His son * Vide Brus.

Walter de Fauconberg was summoned to parliament from the 22 to the 30 Edw. I. In the 29 Edw. I. he was one of those who in the parliament at Lincoln subscribed the letter to the pope, asserting the supremacy of England over the realm of Scotland, being then named "*Walterus dominus de Fauconberg.*" His son and successor was another Walter, which

Walter de Fauconberg had summons from the 32 Edw. I. to the 12 Edw. II., about which time he died.^a John his son and heir also had summons from the 9 to the 23 Edw. III., and died the same year.

Walter, son and heir of John, had summons from the 24 to the 36 Edw. III., when he died, leaving by Maud his wife, sister and coheir to William baron de Pateshull,† Thomas his son and heir, who does not appear to have been ever summoned to parliament. He had issue a son John, who died in his lifetime, s. p., and also a daughter Joane, who became his sole heir, and married William Nevill, a younger son of Ralph, first earl of Westmorland. This † Vide Pateshull.

NEVILL LORD FAUCONBERG.—(7 HEN. VI.)

WILLIAM NEVILL had summons to parliament from 7 Hen. VI. to 1 Edw. IV.; but in every writ till the 33 Hen. VI. he is only styled "*William Nevill, chiv*" in that, and in all subsequent writs he is called "*Willielmus Nevill de Fauconberge, chiv*." He was created earl of Kent in 1461, but died in 1463, s.p.m., leaving three daughters his coheirs, viz: Joan, who married Sir Edward Bedhowing; Elizabeth, who married Sir Richard Strangeways; and Alice, who married Sir John Coniers; between whose heirs general representative the barony of Fauconberg is in abeyance.

Dugdale mentions a William Fauconberg to have been summoned the 28 Edw. 1.; but no such name appears in the writ of that year.

FELTON.—(6 EDW. II.)

ROBERT DE FELTON had summons to two parliaments, in the 6 and 7 Edw. II., but not after, as he died the same year, leaving John his son and heir, who never had sum-

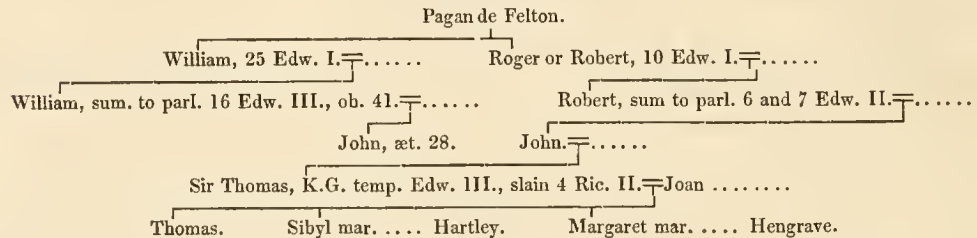
^a He was among the nobles summoned to the Coronation of Edw. II.

* Ex Segar's
MSS. in Cott.
Bibl.

mons,^a which John, by a pedigree *penes auct'*,* is stated to have had issue Sir Thomas Felton, K.G., temp. Edw. III., who, by Joan his wife, had a son Thomas, and two daughters; whereof Sibyl married — Hartley; and Mary, — Hengrave.

Dugdale mentions a William Felton to have been summoned to a great council, the 16 Edw. III. By the same pedigree he is stated to have been first cousin to Robert, viz., son of William brother to Roger or Robert, father of the said Robert. This William died the 41 Edw. III., leaving a son John, aged twenty-eight, who never had summons.

FELTON.—*Ex Segars MSS. in Coll. Arm.*



FERRERS OF CHARTLEY.—(27 EDW. I.)

AFTER Robert de Ferrers, the sixth and last earl of Derby, had been divested of his earldom and honours by Hen. III., anno 1265, his son and heir

John de Ferrers, who inheriting the barony of Chartley from his great grandmother, one of the coheirs of Ranulph earl of Chester, had summons to parliament from the 27 Edw. I., to the 5 Edw. II., inclusive, by the name of *John de Ferrers*, but without any distinction of *Chartley*.^b He married Hawyse, daughter and heir of Robert de Muscegros, lord of Charlton, in the county of Somerset, and dying circ. 1324, was succeeded by Robert his son and heir, which

Robert de Ferrers had summons to a great council, the 16 Edw. III., by the denomination of *Robert de Ferrers*; but he never was summoned after. He died 1350, leaving two sons, whereof Robert, the youngest, married Elizabeth, daughter and heir of William Boteler, baron of Wemme; and John, the eldest, was his successor; but neither this

John, nor Robert his son, Edmund his grandson, nor William his great grandson, were ever called to parliament. Edmund the grandson, married Helen daughter and

^a Dugdale in his Baronage, says he had summons to parliament the 16 Edw. III., but his name is not mentioned in the writ which was for a great council. The name of William is however therein.

^b Vide Coronation Roll of Edw. II.—*Joh'i de Ferar*.

coheir of Thomas De la Roche,* by Elizabeth, daughter and heir of Thomas De Bromwich, whereby William his son acquired an interest in those barouies; assuming they were descendable honours. This last named William left an only daughter and heiress Anne, who married Walter Devereux, esq., and conveyed to him the castle of Chartley, and manors composing the baronial honour of her father, though for four successions not one had been recognised by summons to parliament subsequent to the 16 Edw. III.

* Vide Roche
in vol. ii.

DEVEREUX, SIVE FERRERS.—(1 EDW. IV.)

WALTER DEVEREUX having married Anne daughter and heiress of William lord Ferrers, had summons to parliament the 1 Edw. IV. by writ directed "*Waltero Devereux de Ferrers, Militi,*" and the 2 Edw. IV., by writ addressed, viz., "*Waltero D'Evereux Domino de Ferrers, Chiv.,*" and from thence to the 1 Richard III. inclusive; but in no instance is the addition of *de Chartley* given. His son and heir,

John, had summons from the 1 the 12 Hen. VII., as "*John Devereux de Ferrers, Chiv.,*" He married Cicely, daughter and heir of Henry Bouchier, earl of Essex, and thereby brought the barony of Bouchier into his family. He died circ. 1497.

Walter Devereux, his son and heir, had summons from the 1 Hen. VIII., to the 2 Edw. VI., (1548), and in 1550 was created viscount Hereford. Richard, his son, dying in his lifetime, left a son Walter, heir to his grandfather, which

Walter was created earl of Essex, and was father of Robert the second earl of Essex, the great favourite of queen Elizabeth, and beheaded in 1600, when all his honours became forfeited. He had issue a son Robert and two daughters; which

Robert the third earl of Essex, was restored together with his sisters, in blood and honours, by act of parliament, in 1603. He was the parliamentary general at the breaking out of the civil war, and died s.p., whereby the earldom of Essex became extinct; the viscounty of Hereford devolved upon his next heir male; and the baronies of De Ferrers and Bouchier fell into abeyance between his two sisters and coheirs; of which, Frances married William Seymour, marquis of Hertford; and Dorothy Sir Henry Shirley, bart., whose grandson

Sir Robert Shirley was summoned to parliament, and took his seat the 28th of January 1677-8, as baron Ferrers. He was afterwards created earl Ferrers; and Robert his son and heir apparent, dying before him, left a daughter and heiress, Elizabeth, who upon her grandfather's decease was his heir to the barony of Ferrers. She married James Compton, earl of Northampton, whose sole surviving daughter, Charlotte, became eventually heiress of her mother, in the barony of Ferrers, and married George Townshend, then viscount, but afterwards created marquess Townshend, whose son George,

upon the decease of his mother, was admitted to the barony, *vitâ patris*, and took his seat as lord de Ferrers, the 28th of April, 1774. In his son the barony is now vested.

It is to be noticed, that the barony of Bouchier is considered to remain in abeyance between the heirs general of Frances and Dorothy, the two sisters of Robert, the last Devereux, earl of Essex; Frances being represented by the present duke of Buckingham; and Dorothy by the marquess of Townshend, as before mentioned.

It may be queried as to the precedency of this barony, whether it can be assumed from the writ of the 27 Edw. I. to John de Ferrers, of whose sitting there is not any evidence from the rolls of parliament; whose son Robert was only summoned to a great council the 16 Edw. III., but never after, nor any of his descendants, till Walter Devereux, who married Anne, the sole daughter and heir of William, the great-great-grandson of John the first Ferrers, was summoned to parliament as *Walter Devereux de Ferrers, chiv'*; which indicates that the descendable barony was first created in him, by virtue of his said writ, the 1 Edw. IV.

FERRERS OF GROBY.—(25 EDW. I.)

WILLIAM DE FERRERS, a younger brother to Robert, earl of Derby, and uncle to John de Ferrers of Chartley, had by the gift of his mother, Margaret, one of the daughters and coheirs of Roger de Quinci, earl of Winchester, the manor of Groby, in the county of Leicester. He died circ. 16 Edw. I., leaving

* Coron. Rot.
Edw. II.

William de Ferrers his son and heir, who had summons to parliament from the 25 Edw. I., to the 18 Edw. II., as also to that king's coronation.* In the 29 Edw. I., he was one of the barons, who in the parliament at Lincoln, subscribed the letter to the pope, touching the supremacy of England over the realm of Scotland, being then written "*Willielmus de Ferrariis dominus de Groby.*"

Henry, son of William, had summons from the 4 to the 16 Edw. III. He died the year following, 1343, leaving by Isabel de Verdon, his wife, one of the daughters and coheirs of Theobald de Verdon, William his son and heir, and one of the coheirs of the barony of Verdon, which

William de Ferrers was summoned from the 28 to the 43 Edw. III. He married Margaret, daughter and coheir of Robert de Ufford, earl of Suffolk, and by her had Henry his successor, summoned from the 1 to the 11 Richard II., whose son,

William de Ferrers, was summoned from the 20 Richard II. to the 23 Hen. VI. He had issue two sons, whereof, Thomas the second, married Elizabeth, one of the sisters and coheirs of Baldwin de Freville, called baron of Tamworth, in the county of Warwick; and Henry the eldest dying *vi. pat.*, left an only daughter Elizabeth, heiress to her grandfather, in the barony of Groby, who married Sir Edward Grey, knight.

GREY OF GROBY, SIVE FERRERS.—(25 HEN. VI.)

THIS Sir Edward Grey, in consequence of his said marriage, was summoned to parliament from the 25 to the 33 Hen. VI., by writ directed "*Edwardo de Grey, Militi, Dominus de Groby.*" His son

John Grey was never summoned, and was slain on the king's part, in the battle of St. Albans, 39 Hen. VI., leaving Thomas his son and heir; which

Thomas was first created earl of Huntingdon, and afterwards marquess of Dorset, by king Edw. IV. He married Cecily, daughter and heir of William lord Bonville, and was succeeded by his eldest surviving son Thomas, the second marquess of Dorset; whose son

Henry, the third marquess, was by Edw. VI. created duke of Suffolk. He married Frances, eldest daughter and coheir of Charles Brandon, duke of Suffolk, by Mary the French queen, youngest sister to king Hen. VIII., by which great lady he had issue three daughters, viz: the lady Jane Grey, who married lord Guildford Dudley, and was beheaded temp. queen Mary; Lady Catherine, who married first Henry lord Herbert, from whom she was divorced, and secondly Edward Seymour, earl of Hereford, now represented by the duke of Buckingham, as her heir general; and lady Mary Grey, who married Martin Keys, groom porter to Queen Eliz., but died s.p.

The tragical death of the duke of Suffolk, and of his unfortunate daughter, the lady Jane Grey, are too well known subjects of history to be here mentioned; it may suffice therefore to say, that he was beheaded in 1554, the 2 queen Mary; and being attainted, all his honours, together with his vast estate, became forfeited, or otherwise the present duke of Buckingham, on the part of his mother, would be the heir general.

FERRERS OF WEMME.—(49 EDW. III.)

ROBERT FERRERS, a younger grandson of the first John de Ferrers of Chartley, married Elizabeth, daughter and heir of William Boteler, baron of Wemme, and had summons to parliament from 49 Edw. III., to 2 Richard II., by writ directed, viz., "*Roberto de Ferrers, de Wemme.*" He died 4 Richard II., leaving Robert his son and heir, and Elizabeth his wife, surviving; which Robert never had summons, but died vitâ matris, having had issue two daughters, his coheirs, viz; Elizabeth, who married John son of Ralph lord Greystock; and Mary, who married Ralph Neville, a younger son of Ralph earl of Westmorland; between the heirs general of which daughters the barony of Ferrers of Wemme, or of Boteler of Wemme, remains in abeyance; which heirs general are considered the earl of Carlisle, and the lords Stourton and Petre, from Elizabeth; and the baroness de

Clifford, Sophia daughter of Thomas viscount Sydney, Mary Elizabeth, her sister, wife of George James Cholmondeley, esq.; and Augustus lord Bury, son of Elizabeth Southwell, by William Charles, earl of Albemarle, from Mary who married Ralph Neville.

FITZ ALAN OF BEDALE.—(23 EDW. I.)

BRYAN FITZ ALAN had summons to parliament from the 23 to the 33 EDW. I. In the 29 EDW. I. he was one of the barons who at the parliament at Lincoln subscribed the letter to the pope, asserting the supremacy of England over the realm of Scotland, by the name of "*Bryanus filius Alani, dominus de Bedale.*" He died the 33 EDW. I., leaving two daughters, his coheirs, viz; Agnes, who married Sir Gilbert Stapleton; and Catherine, who married John lord Grey, of Rotherfield.* Sir Gilbert Stapleton had issue Miles, his eldest son, father of Bryan, whose son, Sir Miles had issue two daughters his coheirs, viz; Elizabeth, who married ——— Calthorpe; and Joane, who married Christopher Harcourt.†

* Vide Grey,
of Rotherfield.

† Vid. Ingham

FITZ HUGH.—(14 EDW. II.)

HENRY FITZ HUGH was summoned to parliament from the 14 EDW. II. to the 25 EDW. III. He died in 1356, and Henry his son having died before him, he was succeeded by his grandson

Henry Fitz Hugh, who had summons from the 1 to the 10 RICHARD II.; his son, another Henry, had summons from the 11 RICHARD II., to the 2 HEN. VI. He married Elizabeth, daughter and heir of Robert, son and heir of John lord Grey, of Rotherfield, by Avice, sister and heir to Robert lord Marmion, his second wife.

William, his son and heir, was summoned from the 7 to the 29 HEN. VI., and died the 31 of the same reign, leaving Henry his son and heir, who had summons from the 33 HEN. VI., to the 10 EDW. IV., and was succeeded by

Richard his son and heir, who was summoned from the 22 EDW. IV., to the 3 HEN. VII., and died circ. 1508, having had issue George, the seventh parliamentary baron, who had summons from the 1 to the 3 HEN. VIII., and died the year following (1512) s.p.; when Alice, wife of Sir John Fienes, father of Thomas lord Dacre, and Sir Thomas Parr, son of Elizabeth, wife of Sir William Parr, knight, were found his next heirs: the said Elizabeth and Alice being his aunts, viz., daughters of Henry the fifth baron.

The barony of Fitz Hugh has ever since remained in abeyance between these two sisters; of which, Alice is represented by the present lord Dacre; and Elizabeth by the marquess of Bute.

FITZ PAIN.—(25 EDW. I.)

ROGER or ROBERT FITZ PAIN* married Margaret (or Margery), one of the sisters and coheirs of Alured de Lincolnia, a great feudal baron, whose ancestor Alured de Lincolnia at the time of the general survey held fifty-one manors in the county of Lincoln. Robert his son, who died the 9 Edw. I., left issue Robert his son and heir, which

* Dugd. vol. i. p. 572.

Robert Fitz Pain had summons to parliament from the 25 Edw. I. to the 8 Edw. II., to whose coronation he also had summons.† In the 29 Edw. I., he was one of the barons in the parliament at Lincoln who subscribed the famous letter to the pope, being then designated "*Robertus filius Pagani Dominus de Lanwor.*" He died the 9 Edw. II., leaving by Isabel his wife,

† Coron Rot. 1 Edw. II.

Robert Fitz Pain his son and heir, who had summons from the 1 to the 25 Edw. III., and died the 28 Edw. III.,‡ leaving Isabel his daughter and heir, who married John Chidiok, as the following record shows: §

‡ Esch. n. 41.
§ Orig. 29 Edw. III.
Rot. 2.

"Isabella, daughter and heir of Robert Fitz Pain, wife of John Chidiok, livery of the manor of Chelburgh with other lands in the counties of Dorset and Somerset, Isabella æt. xxx. et amp."

This Isabel (or Isabella) it would seem was his only child, and by a former wife whose name is not mentioned; for at the time of his death he left Ela his wife surviving, who had been previously the wife of John Mareschal of the county of Norfolk,|| with which Ela, at the time of his death, he was jointly seised of certain manors in the counties of Dorset and Somerset, with remainder to the heirs of their two bodies lawfully begotten; default thereof, the remainder to Robert, the son of Richard de Grey of Codnor, and Elizabeth his wife, and the heirs of the said Robert, son of Richard, which Robert, upon the death of Robert Fitz Pain without issue by the said Ela, succeeded to the manors accordingly, and being thus made heir of entail, assumed the name of Fitz Pain.

|| Rot. Pat. 1 Edw. III. m. 8. part 2nd.

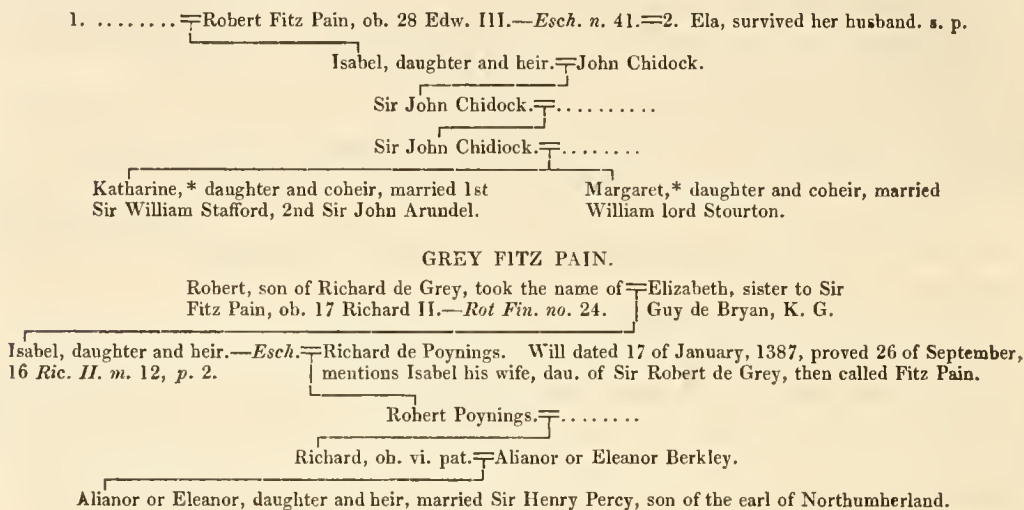
ROBERT DE GREY, ALIAS FITZ PAIN.

DUGDALE relates that this Robert Fitz Pain was summoned to parliament the 43 Edw. III.; but from the Lists of Summons, sometime since printed by order of the House of Lords, the name of Robert Fitz Pain does not appear in the writ of that year, nor in any after summons whatsoever; so that no barony of Fitz Pain was created in him, and he was not heir of the previous old barony.

Under this circumstance there was not any barony of Fitz Pain which could descend to his daughter Isabel who married Richard de Poynings; nor through the said Richard and Isabel to Alianor or Eleanor, their great-granddaughter, who married Henry

Percy. As such the assumption of the title by the earls of Northumberland was unwarranted; and even if warranted, would not now be vested in the present Seymour Smithson family of Percy, duke of Northumberland; for by the death of Henry, the sixth earl of Northumberland, s.p., and the attainder of Sir Thomas Percy his brother, who would have been his heir, they with his other honours became forfeited. And again, had they not been forfeited, they would ultimately have fallen into abeyance between the daughters and coheiresses of Thomas the seventh earl, who however was attainted and

* Vide Percy. his attainder never reversed.*



* Between the representatives of these two daughters and coheiresses the old barony of Fitz Pain is in abeyance.

FITZ WALTER.—(23 EDW. I.)

ROBERT FITZ WALTER^a was the principal commander of the barons' army, and appointed to observe the observation of the famous Magna Charta (now a dead letter) of king John. His grandson

Robert had summons to parliament from the 23 Edw. I. to the 19 Edw. II.^b In

^a The potency of this eminent person is manifested in the Liber Niger Scaccarii, wherein his father Walter states his knights' fees to be sixty-three and one half de veteri feoffamento; and three and a fourth part de novo.

It was Maude, the beautiful daughter of this baron, residing at Dunmow, whose chastity king John solicited, and thereby brought on him the wrath and indignation of her father, who then roused the barons to arms.—(*Vide Drayton's Heroick Epistles.*) But this is rather considered a fabulous story.

^b He was present in the parliament of the 6 Edw. I. at Westminster, when Alexander king of the Scots did homage for his kingdom; but no writ of summons is extant for that year.—(*Vide Rot. Parl., vol. i., p. 224.*)

the 29 Edw. I. he was one of the barons in the parliament at Lincoln who subscribed the memorable letter to the pope, asserting the supremacy of England over the realm of Scotland, being then written "*Robertus filius Walteri Dominus de Wodeham.*" He died circ. 19 Edw. II, having married Dervorguil, one of the daughters and coheirs of John de Burgh, and had issue

Robert his son and heir, who never had summons to parliament. He died the 2 Edw. III., leaving by Joane his wife,* one of the daughters and coheirs of John de Multon of Egremond, a feudal baron of great estate, John his son and heir, which

* Orig. 39
Edward III.,
Rot. 2.

John had summons from the 15 to the 34 Edw. III., inclusive, and died the year following (1361), to whom succeed Walter,^a his son, summoned from the 43 Edw. III., to the 9 Richard II., and died the following year, leaving at that time,

Walter, his son and heir, summoned from the 14 Richard II., to the 5 Hen. IV.—He married Joan, daughter, and ultimately heir of John baron Devereux, and by her had Humphry, who died *infra ætatem*, s.p., and Walter, the next baron, heir to his brother, which Walter, the last of his name, was summoned from the 7 to the 9 Hen. VI., and died anno 1432, s.p.m., leaving Elizabeth his daughter and heir, who married Sir John Ratcliffe, knight, son of Sir John Ratcliffe, who married Catherine, one of the grand-daughters and coheirs of Hugh baron Burnell.†

† Vide Burnell.

RATCLIFFE BARON FITZ WALTER.—(1 HEN. VII.)

THIS Sir John Ratcliffe, by the said Elizabeth Fitz Walter, had John his son and heir, who was summoned from the 1 to the 11 Hen. VII.; but was afterwards beheaded and attainted in 1495, when his honours became forfeited.

Robert Ratcliffe, son and heir, was afterwards, by act of parliament, the 1 Hen. VIII., restored in blood and honours, and had summons to parliament from the 3 to the 14 Hen. VIII., by writ directed "*Roberto Ratcliff de Fitz Walter, Chiv.*" In 1525 he was created viscount Fitz Walter; and in 1529 earl of Sussex, in which superior dignities the barony of Fitz Walter remained merged for several successions. He had issue two sons, Henry and Humphry.

Henry, the eldest, was next earl of Sussex, and was twice married, first to Elizabeth Howard, and secondly to Anne Calthorpe. By his first wife he had issue two sons, Thomas the third earl, who died s.p., and Henry, the fourth earl, heir to his brother; by his second wife he had a daughter Frances, who married Sir Thomas Mildmay.

^a He is stated by Dugdale to have married Philippa, daughter and coheir of John de Mohun, of Dunster, and to have had by her Walter his successor; but this seems erroneous, as it was Robert his eldest brother who married her, and died vi. pat. s.p.—Vide *Peter Le Neve's Collections*, and *Blomefield's Norf.*, vol. i., p. 9.

Henry, the fourth earl, was succeeded by his only son Robert, the fifth earl, who died s.p., in 1629, whereupon the barony of Fitz Walter devolved on the issue of Frances Mildmay, his aunt of the half blood ; but the titles of viscount Fitz Walter and earl of Sussex descended to Edward Ratcliffe, his cousin, son of Humphry, next brother to Henry the second earl, but this Edward, the sixth and last earl, dying s.p., in 1641, those titles became extinct.

MILDMAY BARON FITZ WALTER.

* Vide Banks's
Dorm. and Ex.
Bar. vol. ii.

SIR HENRY MILDMAY, son of lady Frances Ratcliffe, by Sir Thomas Mildmay, claimed the barony of Fitz Walter,* in right of his mother, in 1640, but died in 1654, leaving Robert his son and heir, who by Mary his wife, daughter and coheir of Sir Thomas Edmonds, knight, had two sons ; Henry, who died s.p., and Benjamin ; also a daughter Mary who married Henry Mildmay, of Graces, esq. This

† Journ. Dom.
Proc.
‡ Ibid.

Benjamin Mildmay, great-grandson of the lady Frances renewed the claim of his grandfather, and was allowed the barony, and took his seat as baron Fitz Walter the 14th February, 1669.† He had issue two sons, Charles and Benjamin.

Charles, second Mildmay lord Fitz Walter, took his seat the 6th November, 1691 ;‡ but dying s.p. he was succeeded by his brother Benjamin, which

§ Ibid.

Benjamin, third baron, took his seat the 28th of January, 1727.§ He was afterwards created viscount Harwich and earl Fitz Walter, and died in 1756, s.p., when these dignities became extinct, and the barony of Fitz Walter fell into abeyance between the daughters and coheirs of Mary, the wife of Henry Mildmay, of Graces before mentioned. These daughters were Mary, who married Charles Goodwin, esq. ; Lucy, Thomas Gardiner, esq. ; Elizabeth, Edmund Waterson, s.p. ; Frances, Christopher Fowler, merchant of London ; and Catherine, colonel Thomas Townshend.

The barony is now under claim before the lords' committees for privileges by Sir Brook Wm. Bridges bart. descended from Frances Mildmay who married Christ. Fowler.

|| Vol. i. p. 224

Although no writ of summons is upon record for the parliament of the 6 Edw. I., yet it appears from the rolls of parliament that|| one was holden in that year, at which Alexander king of the Scots did homage to king Edward, and acknowledged himself his liege man, and at which Robert Fitz Walter was one of those who were present.

FITZ WARINE.—(45 HEN. III. AND 22 EDW. I.)

¶ Claus. Rot.
m. 3. in Dors.

FULKE FITZ WARINE was one of those who in the character of a baron had summons to the parliament convened to meet in London by writ the 45 Hen. III.¶ His son and heir,

Fulke Fitz Warine had summons to parliament from the 22 Edw. I. to the 8 Edw. II., inclusive. The 29 Edw. I. he was one of the barons in the parliament at Lincoln who subscribed and sealed the famous letter to the pope;* and the 1 Edw. II. was summoned to that king's coronation.† In the two last years of his summons to parliament he is styled *senior*, which designation is continued from the 9 to the 13 Edw. II., in the several writs, yet considered as an error for Fulk his son, as he died circ. the 8 Edw. II. (1314).

* Dugd. Lists
of Summ.
† Coron. Rot.
1 Edw. II.

Fulke Fitz Warine, his son and heir, had summons from the 14 Edw. II. to the 9 Edw. III., inclusive, as Fulke Fitz Warine; and if the writs before observed upon were erroneous, then he had summons from the 9 Edw. II.

Fulke Fitz Warine his son and heir, had never summons to parliament, and died circ. 47 Edw. III., leaving another Fulke his son and heir, which

Fulke Fitz Warine never had summons to parliament, and died the 1 Ric. II., leaving

Fulke Fitz Warine his son and heir, who also never had summons to parliament. This Fulke married Elizabeth, sister and heir of John, son and heir of Sir William Cogan, knight,‡ and died the 15 Ric. II., having had issue a younger son John, who died s.p. the 2 Hen. V., and

‡ Vide Cogan,
vol. ii.

Fulke his son and heir, who was never summoned, and died the 9 Hen. IV., having had issue a son Fulke who died *vitâ patris* the 8 Hen. IV., leaving issue a son Fulke and a daughter Elizabeth, which

Fulke Fitz Warine died in his minority the 8 Hen. V., s.p., leaving his only sister Elizabeth his heir, who married Richard Hanckford, esq., and had issue Elizabeth, who died s.p.; and Thomasine, hereafter mentioned.

BOURCHIER LORD FITZ WARINE.—(27 HEN. VI.)

SIR WILLIAM BOURCHIER, a younger son of William, earl of Ewe, having married Thomasine, only surviving daughter and heir of Richard Hanckford by Elizabeth his wife, sister and sole heiress of Fulke Fitz Warine, was summoned to parliament as "*Wilhelmo Bouchier Militi Domino de Fitz Warine*," from the 27 Hen. VI. to the 9 Edw. IV. §

§ Dugd. Lists
of Summ.

Fulke Bouchier, his son and heir, was summoned only in the 12 Edw. IV. He married Elizabeth, one of the sisters and coheirs of John lord Dynham, and had issue

John Bouchier lord Fitz Warine, who was summoned from the 7 Hen. VII. to the 28 Hen. VIII., and was afterwards created earl of Bath, 9th July, 1536, shortly after which he died, leaving by Cecily (or Florence) his wife, sister and heiress to her brother Henry D'Aubeney,|| earl of Bridgewater,

|| Vide D'Au-
beney.

John Bouchier, second earl of Bath, his son and heir; whose son and heir apparent

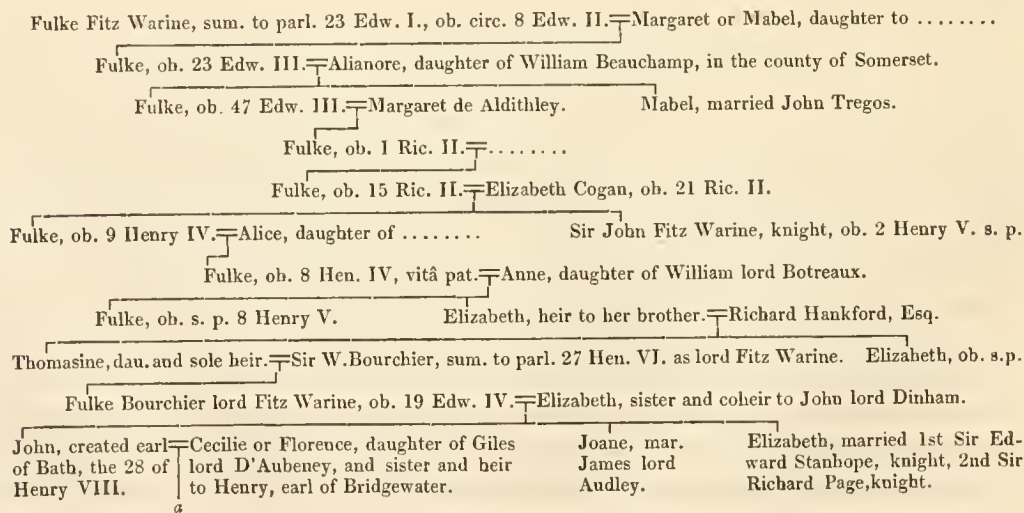
John, deceasing in his lifetime, left a son William, who upon the death of his grandfather in 1560, 3 queen Elizabeth, succeeded to the earldom and barony. This

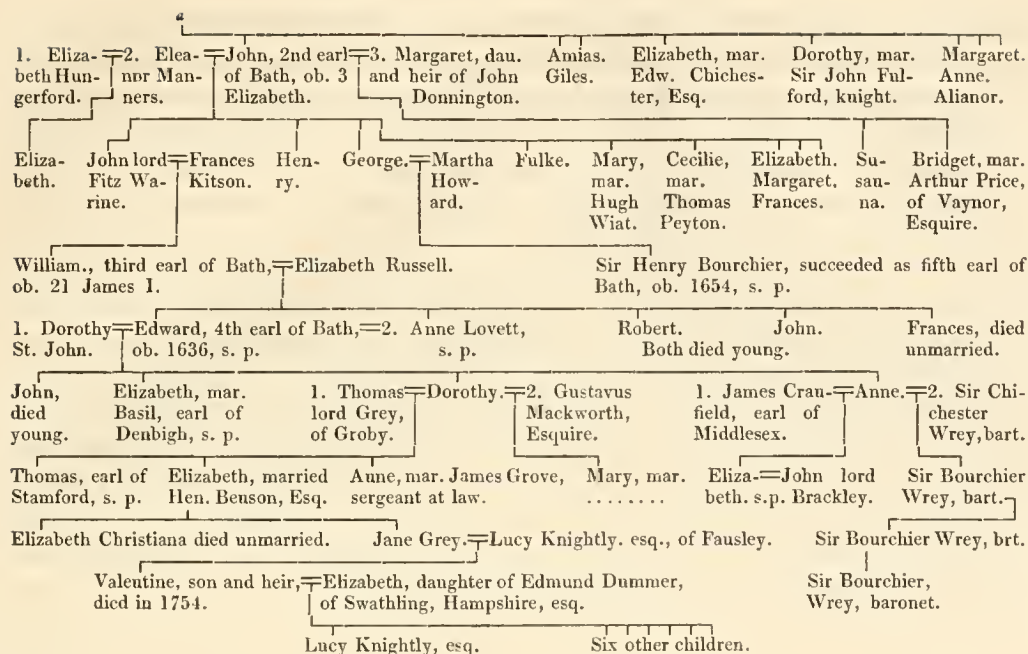
William, third earl of Bath, died the 21 James I., 1623, and was succeeded by his son and heir

Edward, the fourth Bouchier earl of Bath, and sixth of his name, baron Fitz Warine. He dying in 1636 without issue male surviving, the earldom of Bath became extinct, and the barony of Fitz Warine fell into abeyance between his three daughters and coheirs.

Of these, Elizabeth married Basil, earl of Denbigh, s.p.; Dorothy married, first, Thomas lord Grey of Groby, heir apparent to the earl of Stamford, and had issue Thomas, earl of Stamford, s.p., and two daughters; whereof, Elizabeth was wife of Henry Benson, esq.; Anne married, first, James Grove esq., serjeant at law, and secondly, Gustavus Mackworth, esq., by whom she had a daughter Mary; Anne Bouchier, the third daughter, married, first, James Cranfield, earl of Middlesex, and had a daughter Elizabeth who wedded John lord Brackley, s.p.s., and secondly, Sir Christopher Wrey, bart., great-grandfather of Sir Bouchier Wrey, bart.

It has been well remarked by Sir Harris Nicolas in his Peerage Synopsis, that only two of the Fitz Warine name had summons to parliament; and that no sitting under their writs appears from the rolls of parliament, otherwise than in the parliament at Lincoln the 29 Edw. I., while it is shewn that through divers descents from the 9 Edw. III. to the 27 Hen. VI. none were again summoned. Hence it may be inferred, that Sir William Bouchier was the first who acquired an inheritable barony of Fitz Warine by that designation under his writ of summons in the 27 Hen. VI.





WILLIAM FITZ WARINE.—(16 EDW. III.)

WILLIAM FITZ WARINE, supposed to be a younger brother to the second Fulke, had summons the 16 Edw. III. among the earls and barons to attend a great council to be holden at Westminster, but which is not denominated in the writ, a parliament.* He was never again summoned, nor any of his descendants. He died circ. 1361, leaving a son named Ivo, of whom no further mention is made, than that he died the 2 Hen. V., having had issue by Maud his wife, daughter of Sir John Argentine, a daughter and heir Elizabeth, who was second wife to Sir John Chidiok.†

* Dug. Lists of Summons.

† Fosbr. Glouc. vol. i., p. 328.

JOHN FITZ REGINALD.—(22 EDW. I.)

For an account of this eminent person vide Vol. II.

FITZ WILLIAM.—(1 EDW. III.)

WILLIAM FITZ WILLIAM, whose ancestor is said to have attended the conqueror into England, though none of them are before noticed by any parliamentary writs of summons, was called by writ to attend at Newcastle-upon-Tyne with divers earls and barons,

equis et armis, the 1 Edw. III.; but his name is not mentioned in the writs of summons to parliament the same year which were convened to meet at Lincoln and York. After this time, it does not appear that either he or any of his descendants were again summoned.

FOLIOT.—(23 EDW. I.)

THE account of this family by Dugdale is very confused and unconnected. But the only one of the name who appears to have had summons to parliament was

Jordan Foliot, who was called by writ in the 23 and 25 Edw. I., but never after, nor any of his descendants, which in the female line, by two coheireses, viz., Margery, who married Hugh de Hastings;* and Margaret, who married John de Camois,† are now represented by Sir Jacob Astley, bart., lately allowed lord de Hastings, and Henry L'Es-trange Styleman, esq., coheirs general of the said Hugh de Hastings; and by Mr. Stonor, lately allowed the barony of Camois, and his coheirs in the said barony as coheirs general of Margaret Foliot, the wife of John de Camois.

* Vide Hastings.

† Vide Camois.

FRESCHVILLE.—(45 HEN. III. AND 25 EDW. I.)

‡ Claus. Rot. No. 3 in Dors.

AUCHER DE FRESCHVILLE was one of those, who in the character of barons, were summoned the 45 Hen. III.‡ to a parliament convened by the king (then a free man, and not in custody of Simon de Montfort) to meet in London. He died the 54 Hen. III., at which time he held the manor of Boney, in the county of Nottingham, per baroniam; and likewise the manor of Cryche in the county of Derby, which his grandfather Aucher had acquired by marriage with Julian, daughter and coheir of Herbert Fitz Ralph, baron of Cryche. This Aucher married Amice or Amicia, eldest daughter of Nicholas, and sister and coheir to Nicholas Musard, lord of Stavely in the county of Derby, and had issue

Ralph Frescheville, who was summoned to parliament with the earls and barons the 25 Edw. I., but never after. His descendants long continued in succession without being summoned, or claiming so to be, until the reign of king Charles II., when in 1677,

John, son and heir of Sir Peter Frescheville, of Staveley, preferred a claim to the barony, founded on the before mentioned writ of summons to his ancestor Aucher de Frescheville. The validity of this writ was not objected to; but as not any proof of a sitting under it could be established, his claim was not allowed. He had been before, in 1664, by letters patent, created a baron by the title of baron Frescheville,

of Stavely, in the county of Derby, to him and the heirs male of his body; but dying in 1682 s.p.m., his peerage became extinct. By his first wife, Sarah, daughter of Sir John Harrington, he had three daughters, viz.; Christian, who married Charles, duke of Bolton, and had a son John who died in his infancy; Elizabeth, who wedded, first, Philip, son and heir of Sir Philip Warwick, knight, and secondly, Conyers Darcy, earl of Holderness, to whom she was fourth wife, but died s.p.s.; Frances, the third daughter, married colonel Thomas Colepeper. The second wife of lord Frescheville was Anna Charlotta, daughter and heir of Sir Henry Vick, knight, but by her he had not any issue.

Among the Harleian MSS. in the British Museum, is a curious collection* showing that colonel Thomas Colepeper, in right of his wife Frances, at length sole daughter and heir of lord Frescheville, had a right to sit in parliament. Among those MSS. are letters of lord Frescheville, his second lady, his daughters, and their husbands, particularly lady Warwick, and colonel Colepeper.

* Vide Nos.
6833 & 7005.

FREVILLE.—(1 EDW. III.)

ALEXANDER FREVILLE married Joane, daughter of Mazera, who was the second daughter and coheir of Philip de Marmyun, lord of Tamworth castle, and baron of Scrivelby, in the county of Lincoln, by Joane his first wife, daughter and heir of Hugh de Kilpec, which Mazera married Ralph de Cromwell. This Alexander had summons the 1 Edw. III., by the same writ as was addressed to the earls and barons to attend at Newcastle-upon-Tyne *equis et armis*;† but his name is not included in either of the parliamentary writs to Lincoln and York of the same year. After this time he never was again summoned, nor any of his descendants, who long continued in the male line.

† Dug. Lists
of Summons.

Baldwin de Freville his grandson, was married three times, and by Elizabeth his first wife, sister and coheir to John de Montfort,‡ of Beldesert, in the county of Warwick, had issue Baldwin his son and heir, which

‡ Vide Mont-
fort.

Baldwin de Freville, at the coronation of Richard II., claimed§ to perform the office of king's champion in virtue of his possession of Tamworth castle; but the commissioners adjudged the right of performing that high office to Sir John Dymoke, in right of the manor and barony of Scrivelby, which had descended to him from Philip de Marmyun, who died seised thereof the 20 Edw. I., *holden in capite de rege* by that distinguished service, and *per baroniam*. He died the 11 Richard II., leaving

§ Coron. Rot.
1 Ric. II.

Baldwin de Freville his son and heir, who died the 2 Hen. IV., leaving Baldwin his son and heir, and three daughters; which Baldwin dying the 6 Hen. V. s.p., his three sisters became his coheirs: of these, Elizabeth married Thomas, second son to William

lord Ferrers of Groby; from which Thomas, through a long line, descended Anne, eventually sole heiress, who married Robert, eldest son of Robert Shirley the first earl Ferrers of that surname, by whose heiress general the castle of Tamworth came to the possession of George, eldest son and heir of George viscount Townshend; which George, in right of his mother, claimed and was allowed the barony of Ferrers of Chartley, and was afterwards created earl of Leicester.

Margaret, second sister and coheir to Baldwin de Freville, married, first, Sir Hugh Willoughby, knight; and secondly, Sir Richard Bingham, knight.

Joice, the other sister and coheir, married Roger Aston, esq., ancestor to the lord Aston of Forfar in Scotland, and the baronet's family of that name in England.

FURNIVAL.—(22 EDW. I.)

THOMAS DE FURNIVAL had summons to parliament from the 22 Edw. I. to the 6 Edw. III.; but from the 12 Edw. II. with the addition of *senior*: the 29 Edw. I. by the designation of "*Thomas de Furnival Dominus de Sheffield.*" He was one of the barons who in the parliament at Lincoln, subscribed their names, and affixed their seals to the letter then written to the pope, and the 1 Edw. II. was summoned to the coronation of that king.* Dugdale remarks of this Thomas, that he *was not a baron*, i.e., *did not hold his lands by barony*, for which he cites as authority, "*Communia de Term Mich., 19 Edw. II., Rot. 3.*" thereby intimating that his summons to parliament did not create him an hereditary baron; but was a writ of service for advice in council, which the king at his pleasure might require, *pro hac vice*, from his *tenants in capite*.

* Coron. Rot.
1 Edw. II.

Thomas de Furnival his son, and then heir apparent, had summons in his father's lifetime by the distinction of *Thomas Furnival, junior*; and after the death of his father, to the 12 Edw. III. as *Thomas Furnival*. He married Joane, eldest of the sisters and coheirs of Theobald de Verdon, a great baron,† by which alliance he greatly enlarged his family inheritance. He died the 13 Edw. III. and was succeeded by his eldest surviving son,

† Vide Verdon.

Thomas de Furnival, who was then in minority; but afterwards, on proof of his age, had summons to parliament from the 22 to the 38 Edw. III. Dying s.p., William his brother became his heir, which

William de Furnival had summons from the 39 Edw. III. to the 6 Richard II., when he died. He married Thomasine, one of the daughters of Thomas, and sister and coheir of Nicholas de Dagworth, and by her left an only daughter and heir Joane, who became the wife of Thomas Nevill, brother to Ralph first earl of Westmorland.

NEVILL LORD FURNIVAL.—(7 RICHARD II.)

THOMAS DE NEVILL having married the said Joane, heiress of the barony of Furnival, was thereupon summoned to parliament the 7 Richard II., by the designation of *Thomas de Nevill de Halumshire*; and from thence by the same designation to the 14 Hen. IV., which suggests a doubt as to how far he may be deemed under these writs entitled to the honour of baron Furnival. But, nevertheless, in the rolls of parliament he is always styled *Le Sire de Furnival*. The probate of his will bears date in 1406, whereas the last summons to him, the 14 Hen. IV., was in 1412, which indicates a discrepancy between them. Dying s.p.m., his daughters Maud and Joane were his coheirs; whereof, Maud married Sir John Talbot; and Joane, Sir Hugh Cokesey, knight. But though these two daughters were his coheirs at law, they were not so as to the barony of Furnival; for Maud was by his first wife Joane de Furnival; and Joane was by Ankaret, a second wife,* not having any blood of Furnival in her. But if the writ to their father created a new barony of *Nevill of Halumshire*, then were they joint coheirs thereto.

* Vincent on Brooke, p. 463.

TALBOT LORD FURNIVAL.—(12 HEN. IV.)

SIR JOHN TALBOT having married Maud, the heiress of Furnival, was summoned to parliament the 12 Hen. IV., as *John Talbot de Furnivall*. In the first writ of Hen. V., he is styled *John Talbot de Halomshire*; in the 2 Hen. V., *John Talbot de Furnival*; in the 4 Hen. V., *Johanni Talbot Domino de Furnivall*; and having at length been advanced to the dignity of earl of Shrewsbury, temp. Hen. VI., the barony of Furnival became merged in that earldom, and so remained till the decease of Gilbert, the seventh earl, s.p.m., the 14 James I., 1616, when it fell into abeyance between his three daughters and coheirs, viz: Mary, who married William earl of Pembroke; Elizabeth, who wedded Henry, earl of Kent; and Alatheia, who became wife of Thomas, earl of Arundel. But Mary and Elizabeth dying s. p., Alatheia became sole heir of the Furnival and Talbot baronies; the right whereto is vested in her coheirs general, represented by the present lords Stourton and Petre. But the titles of Lovetot, Comyn of Badenach, and Montchensy, attributed by Collins and others to the earls of Shrewsbury, along with Furnival, &c., were names of baronial families, not of parliamentary baronies at any time created by writ of summons.

GANT OR GAUNT.—(45 & 49 HEN. III.)

GILBERT DE GANT descended from Gilbert de Gant, a younger son of Baldwin, sixth earl of Flanders, had summons to the parliament convened by the king's writ* to meet in London the 45 Hen. III.; and by another summons to the parliament called by Simon de Montfort, and the confederated barons in the king's name, after the battle of Lewes, the 49 Hen. III.† He died the 2 Edw. I., leaving Gilbert his second son (Robert the eldest having died vi. pat., s.p.) to succeed him; which

* Claus. Rot. m. 3 in Dorso.

† Dugd. Lists. of Summons.

Gilbert de Gant had summons from the 22 to the 25 Edw. I., but died s.p., in 1297, leaving Roger son of William de Kerdeston,‡ by Margaret his eldest sister; Peter son of Peter de Mauley, by Nichola his second sister; and Julian de Gant, his third sister, his coheirs; which Julian died unmarried.

‡ Vide Kerdeston and Mauley.

GENEVILL.—(27 EDW. I.)

§ GEFFERY DE GENEVILL married§ Maud granddaughter and coheir of Walter de Lacy,^a and with her acquired the castle of Ludlow in Wales, and a moiety of Meath in Ireland, afterwards called the lordship of Trim. He had summons to parliament in the 27 Edw. I., and from thence to the 35, in which last year he seems to be one of those mentioned to have been present. He had issue three sons, Geffery, who died s.p., Peter, and Simon.

§ Pat. Rot. 37 Hen. III.

Peter de Genevill was successor to his father, but never had summons to parliament. He married, according to Dugdale, Joane, a daughter of Hugh le Brune, earl of Angolesme, and had issue three daughters; whereof Joane married Roger Mortimer, earl of March; whereby the whole inheritance of Genevill, and half the lands of Lacy came to that family, and by its heiress eventually to the crown, in the person of king Edw. IV; the other two daughters of Peter de Genevill became nuns at Aconbury.

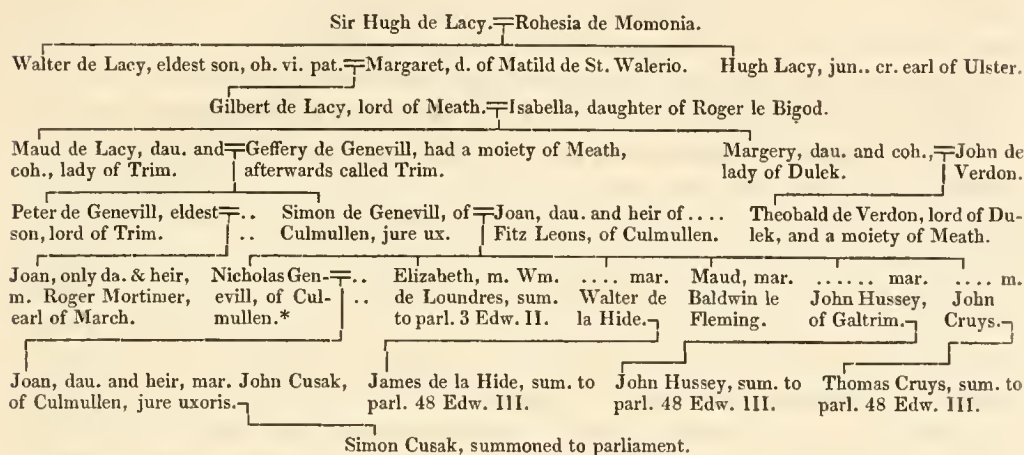
The annals of Ireland recite that in 1308 Roger Mortimer, and his lady the right heir of Meath, daughter of Peter, son of Geffery de Genevill, arrived in Ireland and took possession of Meath, which Geffery Genevill ceded to him, and entered himself into the order of the Friars Preachers, at Trim. After this it is recited, that in 1313, died Sir Geffery Genevill, a Friar, on the 12th before the calends of November, and was buried in his order of the Friars Preachers, at Trim. This statement would rather intimate that Peter was at that time dead, and that it was Geffery his brother who thus

^a Dugdale in his Baronage relates that Peter de Genevill married Maud, niece and one of the coheirs of Walter de Lacy, and had issue Geffery; but in this he is contradicted by the Monasticon, which states that it was *Geffery*, and not *Peter*, who married the said Maud de Lacy.

ceded the lands of Meath to his niece the wife of Mortimer, and daughter and heir of Peter: for if Peter was then living, she could not be right heir.

The following pedigree as submitted to the House of Lords on the claim to the Irish barony of Slane, may more clearly explain the descent.

PEDIGREE ON SLANE CLAIM COR. DOM. PROC., 1835.



* The annals of Ireland state that anno 1324 Nicholas Greneville, son and heir of Simon, died and was buried in the church of the Fryars Predicants at Trim. In the account given in Collins's Peerage of the lord Beaulien's family (Hussey) it is mentioned, that a John Hussey married Marian, daughter and heir of Simon Genevill, of Culmullen. But from this pedigree it is evident she was one of the daughters and coheirs.

GHISNES.—(23 EDW. I.)

INGELRAM DE GHISNES (sometimes called de Coucy, from his being of Coney, in France,) had summons to parliament from the 23 Edw. I. to the 15 Edw. II., and died about two years after, leaving Christian his wife surviving, who was, according to Dugdale, daughter and heir of William de Lindesey, descended from Alice, one of the three sisters and coheirs of William de Lancaster, baron of Kendal. He had issue three sons, viz: William, Ingelram, and Robert, whereof none were ever summoned to parliament.

William, the eldest, was born in France, and inherited the estates there, and Ingelram, the second son, was born in England, and, as Dugdale relates, became heir to his brother William, who died s. p. This statement is however controverted in Burn and Nicholson's History of the counties of Cumberland and Westmorland, who affirm that Ingelram de Ghisnes, by his wife Christian de Lindesey, had issue William, their eldest

son, born in France, who inherited the estates there; and Ingelram, their second son, born in England, who died s. p.: wherefore, William being an alien, the estates escheated to the crown. But the said William had two sons, both born in France, of which the eldest, Ingelram, enjoyed the paternal inheritance there; and William, the youngest son, by favour of the king, had his grandmother Christian's estate in England granted to him, but died s. p., whereby the said estate again escheated to the crown. After this king Edw. III., the twenty-first of his reign granted certain manors, lands, and tenements to John Coupland for his service in taking David king of Scots prisoner at Durham, to hold to him the said John, and Joan his wife, for life: after when, upon the death of Joan Coupland, the same were given to Ingelram, earl of Bedford, and Isabel his wife.*

* Pat. Rot. 41
Edw. III., m.
2, pars. 2.

This Ingelram de Ghisnes, otherwise de Coucy, was lord of Coucy,—his paternal inheritance in France; and was grandson of William de Ghisnes by his eldest son Ingelram, before mentioned. He was created earl of Bedford by king Edw. III.,† and having married the princess Isabel, one of his daughters, had issue by her Mary, who married Henry (Sandford names him Robert) de Barre; and Philippa who was wedded to Robert de Vere, earl of Oxford, afterwards marquess of Dublin and duke of Ireland. Hollinshead asserts ‡ the earl had another wife named Isabel de Lorraine, and had by her a daughter called after her mother, which appears in an exemplification§ of an agreement made between Mary and Philippa, his two daughters by the other wife, for the county or earldom of Soissons and other lands abroad. Milles in Glover's book gives a second wife, whom he names Elizabeth de Lorraine, but does not notice any issue by her.

† Chart. Rot.
40 Edw. III.,
No. 12.

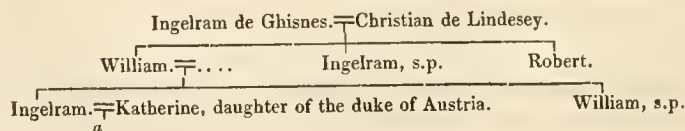
‡ P. 197. Col. 1

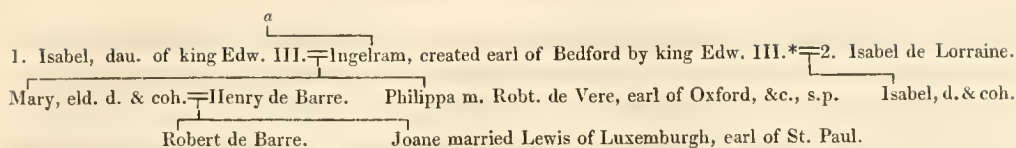
§ Pat. 2 Hen.
IV. m. 16.
pars. 4.

Sir Harris Nicolas in his Peerage Synopsis says,|| “this barony is now vested in the descendant and representative of Ingelram who was summoned to parliament 23 Edw. I.” The correctness of this assertion may easily be appreciated without reference to the opinion of counsel, upon only attending to its course of descent, and the alien parties who might be in such respect the heirs thereto, supposing that a sitting under any of the writs of summons to the said Ingelram could be proved, which according to the law of the day is required, and necessary to establish an inheritable barony created by writ of summons to parliament in the person of an ancestor, from whom the claimant shall be descended. But whoever may be the heirs ought to be greatly obliged to Sir Harris for his gratuitous opinion in favour of their right. It may be questioned whether the earl of Bedford ever was present in parliament; he was only summoned once, and then the 43 Edw. III.¶

|| Vol. i., p.
264.

¶ Dug. Lists
of Summ.





* Ralph Brooke and Milles mention that he had a natural daughter Maud, who married ——— lord Strange, and had a daughter Ankaret, the wife of Sir Henry Husee, knight.—Vincent on Brooke's notes, viz.; *Prebetur quasi*.

GIFFORD.—(23 EDW. I.)

JOHN GIFFORD,^a lord of Brmsfield in the county of Gloucester, had summons to parliament from the 23 to the 27 Edw. I., and died the same year, leaving another John his son and heir; which

John Gifford had summons from the 5 to the 14 Edw. II., being in the writ of the 5 Edw. II. styled a baron, and named "*Johanni Giffard de Brymnesfeld*." He was afterwards concerned in the insurrection of the earl of Lancaster, and being taken prisoner at the defeat of the earl at Boroughbridge, received judgment of death, and was executed accordingly. Dying s. p., the barony devolved upon his half sisters, viz: the daughters of his father John Gifford, by Maud de Clifford, widow of William de Longespe, earl of Salisbury, namely, Catherine, grandmother of James de Aldithle; and Alianore, mother of John, son of Fulke le Strange. But this depends, first, whether there was any restitution in blood and honour of the said executed John de Gifford; and supposing that there was, (inasmuch as the adherents of the earl of Lancaster had all proceedings against them reversed,*) then, whether the writs from the 23 to the 27 Edw. I., to the father, created any descendable barony, without proof of a sitting under them, the barony, presuming it to be one, has been erroneously attributed to the earls of Shrewsbury: for it is evident that it was in abeyance between two coheireses, and the abeyance never since determined in favour of either.

* Pryn's
Parliamen.
Abridg.

GORGES.—(45 HEN. III AND 2 EDW. II.)

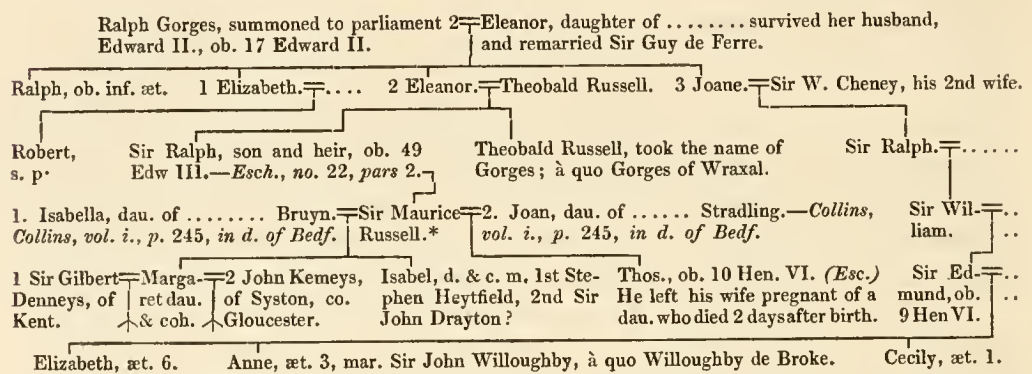
RALPH DE GORGES in the reign of Hen. III. was governor of Shireburne, and Exeter castles, and also sheriff of the county of Devon. He had summons to the parliament called by the king's writ to meet in London the 45 Hen. III.,† after which he died, the 56 Hen. III. According to Collinson's history of the county of Somerset,‡ he married Elena, daughter of John de Moreville, and thereby acquired the manor of Wraxhall.

† Claus. m.
3. in Dorso.
‡ V. iii. p. 156

^a This is probably the same John who was summoned by the king's writ to the parliament convened to meet in London 45 Hen. III.—(*Claus. Rot., m. 3, in Dorso.*)

* Esch. 19
Edw. III., no.
49, Linc.

Ralph Gorges, his son and heir, was in the wars of Scotland, and also marshall of the king's army in Gascoigne. He had summons to parliament from the 2 the 16 Edw. II., inclusive, but never after, nor any of his posterity. He died 17 Edw. II.; and by Eleanor his wife, daughter of ——— who survived him,* and remarried Sir Guy de Ferre, had issue a son Ralph, who died infra ætatem, and three daughters, Elizabeth, Eleanor, and Joan, as mentioned in the table of descent. Of these, Eleanor married Sir Theobald Russel, of Kingston, in the county of Dorset, and had issue Sir Ralph Russel, and Theobald, second son, who took the name of Gorges, and from whom descended the Gorges of Wraxall. And of the same line Sir Ralph Gorges, of Langford in Wiltshire, first created a baronet, and afterwards baron of Dundalk in Ireland, by king Jas. I.; with whose son Ralph the baronetcy and barony became extinct.



* Collin's in his account of the Russel family, duke of Bedford, makes him son of John, eldest son of Theobald by Eleanor Gorges. (*Vol. i.*, p. 245.)—(*Vide Collectanea Topographica et Genealogica*, Vol. iv., p. 366.)

GRANDISON.—(27 Edw. I.)

OTTO DE GRANDISON had summons to a great council to be holden in London, by writ dated at Ledes, 21 Sep., 27 Edw. I., and afterwards to parliament the 28, 32, and 33 Edw. I. When he died seems uncertain;† but as he is said to have deceased s.p., it is immaterial, as whatever barony he might have acquired by his writs of summons became extinct.

WILLIAM DE GRANDISON.—(27 Edw. I.)

WILLIAM DE GRANDISON, brother to the before mentioned Otto, married Sibilla, youngest daughter and coheir of John de Tregoz, a great feudal baron, and had summons

to parliament from the 27 Edw. I. to the 19 Edw. II., inclusive,* to whose coronation he had summons among the other barons of the realm.

* Vide Esch. 9 Edw. III. n. 35.

In the 29 Edw. I. he was one of those who being summoned to the parliament at Lincoln† did not affix his seal to the memorable letter sent to the pope, touching the supremacy of England over the kingdom of Scotland. He had three sons, Peter, John, and Otto; as also four daughters, viz.; Agnes, Mabel, Matilda, and Catherine. Of the sons,

† Dugd. Lists of Summ.

Peter, the eldest, had summons to parliament the 11, 22, and 23 Edw. III., and died s.p., the 30 Edw. III.,‡ whereupon

‡ Esch. n. 32.

John de Grandison, his next brother, became his heir. He was bishop of Exeter, and as such sat in parliament by virtue of his bishoprick, and consequently never had summons as a baron. He died about the 43 Edw. III.,§ and was succeeded by his nephew Thomas, son of his younger brother Otto, who died in his lifetime,|| having had issue by Beatrix his wife, one of the daughters and coheirs of Nicholas de Malmains, of Ockley in the county of Surrey,^a besides the said Thomas, a daughter Elizabeth, named in his will, dated 1358, (32 Edw. III.)

§ Fin. Rot. 43 Edw. III.
|| Esch. 33 Edw. III., n. 41.

Thomas, son and heir of the aforesaid Otto, succeeded his Uncle John de Grandison, the bishop, but was never summoned to parliament, and died the 49 Edw. III., s.p.,¶ according to Dugdale; though some authors affirm he had issue, *Margaret, the relict of Thomas Grandison, died about the 18 Richard II.***

¶ Esch. n. 47.

** Esch.

The barony of Grandison thus appears to be in abeyance among the heirs representative of the four daughters of William de Grandison, who was first summoned to parliament the 27 Edw. I., concerning whom the following statement from Leland*† may tend to explain and set forth their descent.

*† Vol. iii., p. 66-7.

Ex Tabula quadam de Genealogia Joannis Grandisoni ep̄i, Exon.

Hic erat filius Gūl. Grandisoni de genere imperatoris, qui frater fuit nobilissimi Dñi Othonis de Grandisono in Burgundia diocesis Laucenensis ubi Castrum de Grandisono est situm firmis saxis.

Mater istius episcopi erat Dña Sibilla filia & semiheres Domini Joannis Tregoz decora, Dñi Castri de Ewyas Herefordiam juxta, ubi terras, Dominia possidebat & castra.

Qui Tregoz fuit filius Dñæ Julianæ sororis S^{ci} Thomæ de Cantilupo ep̄i Herefordensis.

Idem Joannes Grandison habebat quatuor fratres germanos nobiles, Petrum & Otho-nem milites, Thomam ac Gulielmum clericos spirituales, temporalia & spiritualia strenue regentis.

^a Otto de Grandison, livery of Malmains lands.—(Orig. 24 Edw. III., Rot. 3 and 41.)

Insuper idem episcopus quatuor sorores habebat, Agnetam quæ Dño Joanni de Norwode nubebat, Mabillam secundam Dñs Joannes de Pateshul ducebat, qui multos viriliter bellando devincebat. Matildam tertiam Monialem ac priorissam de Acornebyri, et vitam semper devotissimam. Catarinam quartam Dño Gulielmo spetiosam de Monte acuto comiti sic Sarum nuptam de qua duos filios cito progenuit, Gulielmum qui unicam filiam maritavit Dñi Edmundi nobilis comitis tunc Cantiaë, fratris Edwardi Regis utentis tunc coronam Angliæ: Edwardus Rex a conquestu 2. erat iste.

Joannes secundus filius audacitatis miræ Dñi Thomæ de Monthermer uniam filiam duxit, cujus mater Joanna comitissia Glouerniæ fuit soror prædicti Edwardi Regis militiaque floruit.

Ex eadem Catarina Gulielmus 3. filias genuit. Prima erat Elizabetha formosa vocabatur. Dño Egidio de Badlesmere statim maritatur; et post mortem ilius Dño Hugoni Spenser sponsatur. Qui in suis actibus militiosus vocabatur. Secunda filia nomine vocata Sibilla Edmundo filio & hæredi libere fuit data comitis Arundeliæ & tertia Philippa, Rogero de Mortuamari quam cito conjugata.

Obiit Joannes Graunson præsul Exōn aº milleno ter centeno sexageno undeno.

GRENDON.—(28 EDW. I.)

RALPH DE GRENDON, of Grendon, in the county of Warwick, had summons to parliament the 28, 32, and 33 Edw. I. In the 29 Edw. I. he was one of those who in the parliament at Lincoln subscribed the letter to the pope, asserting the supremacy of England over the realm of Scotland, being then written "*Radulphus dominus de Grendon*," He had issue a son Robert, as also a daughter Joane, who married John de Rochford.

Robert de Grendon never had summons to parliament, unless he be considered the same Robert whom Dugdale in his lists of summons mentions to have been called by writ to parliament in the 34 and 35 Edw. I., but of whom he does not make any notice in his baronage. If he be the son of Ralph, he must have had summons in his father's lifetime, who is said to have died the 5 Edw. III.; but it is not improbable that the name of Robert is a misprint of Ralph, a typographical error which is too frequently apparent in Dugdale's printed lists. This Robert is represented to have been a man of very weak understanding, and to have died about the 22 or 23 Edw. III., s.p.; whereby the lands of inheritance passed to his sister Joane; whose son, Sir Ralph Rochford, came to possess the same, and made an entail thereof upon the issue of his body, by Joane his wife, daughter of Sir Hugh Meynill, with remainder to his three sisters, successively and then to Sir Richard Stafford, and his heirs. Sir Ralph died about the 8 Ric. II., leaving a daughter and heir Margaret, who is mentioned by Blomefield* to have married Hugh de Askeby.

* History of Norfolk, vol. ix., p. 107., 8vo. edit.

GRELLE.—(1 EDW. II.)

ROBERT DE GRELE married Hawyse, one of the three daughters and coheirs of John de Burgh, son of John,^a son of Hubert de Burgh, earl of Kent, and died the 12 Edw. I., leaving

Thomas de Grelle his son and heir, then in minority, who in the 34 Edw. I. was made a knight, with prince Edward and others, by the ceremony of Bathing: he afterwards had summons to parliament the 1, 2, 3, and 4 Edw. II. among the barons; but dying s.p. his barony became extinct, and Joane his sister became his heir, who married John, son of Roger lord de la Warre, to whom she brought a great inheritance with the manor of Manchester, in Lancashire.

GREY OF CODNOR.—(22 EDW. I.)

THE first of this very eminent family with whom Dugdale commences his account, is

Henry de Grey, to whom Ric. I. gave the manor of Thurrock (or Turroc) in Essex, which grant king John afterwards confirmed. He married Isolda, a neice and coheir of Robert Bardolf,^b and shared in the inheritance of his lands, among which was Codnor in the county of Derby, the principal seat thereafter of this line of his family. By the said Isolda he had issue six sons,* viz., Richard; John, sometime justice of Chester, progenitor to the lords Grey of Wilton, and Ruthyn; William, of Langford in the county of Nottingham, and Sandiacre in the county of Derby; Robert of Rotherfield; Walter, archbishop of York; and Henry.^a

* Dug. Bar.,
vol. i., p. 709.

Richard de Grey, eldest son, married Lucia, daughter and heir of John de Humez, and had with her certain lands in Norfolk. He and John, his son and heir apparent,

^a He was son of Hubert de Burgh by his first wife Margaret, daughter of Robert de Arsic, and married Hawyse, only daughter and heiress of William de Lanvallei, who, temp. king John, was one of the twenty-five constituted by the barons to govern the realm. John his son, above named, left three daughters his coheirs, whereof Hawyse married Robert de Gresley; Devorguil wedded Robert Fitz Walter; and Margery was a nun at Chicksands. *Hasted*, (vol. i., p. 84, *Kent*,) says she married, first, Sir Stephen de Penchester, and had two daughters, Joane, wife of Henry de Cobham, of Rundale; and Alice, wife of John de Columbers; secondly, Robert de Orreby, by whom she had a son John de Orreby, (Clerk).—(*Vide Esch. of Margery 2 Edw. II. and History of Tunstall*, p. 15.)

^b Blomefield, in his *History of the county of Norfolk*, says she was one of the five sisters and coheirs.

^c Collins, in his *Peerage*, vol. ii., pp. 373-4, controverts this statement of Dugdale, and states that John de Grey, by Hawyse his wife, had issue Robert de Grey of Rotherfield, his eldest son; Walter de Grey, archbishop of York; and Henry de Grey who obtained Thurrock. Thus it would appear that Robert of Rotherfield, and Walter the archbishop were brothers, and not sons of Henry of Thurrock. But Collins agrees with Dugdale as to the barons of Codnor and Wilton being derived from the said Henry.

were on the part of the rebel barons under Simon de Montfort, and were surprised and taken prisoners by a detachment from the royal army under prince Edward, but were admitted under the Dictum de Kenilworth to make their fines. When he died does not appear; but John his son and heir died the 56 Hen. III., leaving by his wife Lucia, daughter of Reginald de Mohun of Dunster, Henry his son and heir, which

Henry de Grey had summons to parliament the 22 Edw. I.; which parliament, though not mentioned in the writ where to meet, was nevertheless afterwards assembled at Westminster.* He was subsequently summoned from the 27 Edw. I. to the 2 Edw. II., in which year he died. In the 29 Edw. I. he was one of the barons who in the parliament at Lincoln had affixed their seals to the letter then written to the pope, although they were not summoned thereto,† being designated "*Henricus de Grey, Dominus de Codnoure.*"^a By Eleanor his wife, daughter of Hugh de Courtenay, he had Richard, his son and heir, and Nicholas, to whom he gave the manor of Barton, in Ridale, in the county of York, whose descendants long continued there.

Richard de Grey succeeded his father, and had summons to parliament from the 2 Edw. II. to the 9 Edw. III., when he died, leaving John his son and heir æt. thirty, and Robert a younger son, who being made heir of entail of Robert Fitz Pain, afterwards assumed that surname.‡

* Rot. Parl.
† Dug. Lists
of Summons.

John de Grey, upon the death of his father, had livery of his lands, saving to Joane his mother, then surviving, her reasonable dower. He had summons to parliament from the 9 Edw. III. to the 16 Richard II., as "*Johanni Grey de Codnoure,*" and in several writs as "*Johanni filio Ricardi Grey de Codnoure.*" In the 45 Edw. III., being very aged, Dugdale says§ he had a special dispensation from the king to exempt him from coming to parliament and councils. The time of his death seems uncertain, for Dugdale observes that he had not seen it. Henry his eldest son having died in his lifetime, left issue by Joane his wife, daughter of Reginald de Cobham of Sterborough, a son

‡ Vide Fitz
Pain.
§ Dug. Bar.,
vol. i., p. 711.

Richard de Grey, heir and successor to his grandfather, who had summons to parliament as *Richard de Grey de Codenore* from the 17 Richard II. to the 4 Hen. V., and died the year following.|| He married Elizabeth, one of the daughters and coheirs of Ralph Basset, of Sapcoate, by Alice his second wife, and by her, whom he left surviving, had John his son, æt. 22, which

|| Esch. 6 Hen.
V., no. 5.

John de Grey had summons from the 8 Hen. V. to the 7 Hen. VI., as *Johanni Grey de Codenore Chev.*, and died the 9 Hen. VI.,¶ s. p., leaving

¶ Esch. No.
15.

^a Dugdale in his Lists of Summons to parliament recites the name of John de Grey, the 25 Edw. I.; and in his Index adds *de Grey of Codnor*; but this is probably a mistake for *John de Grey of Rotherfield*; who in his said Index he mentions by that distinction; yet in the summons, the name appears *John de Grey* only, without any addition.

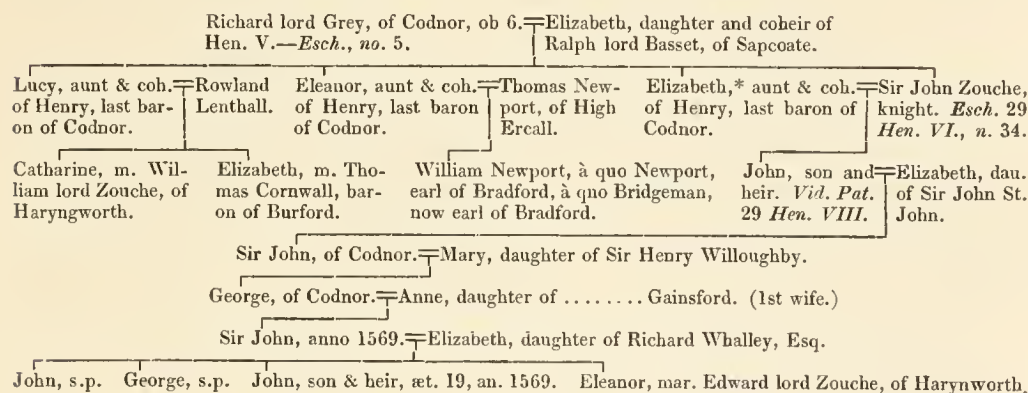
Henry de Grey his brother and heir, who had summons from the 9 to the 20 Hen. VI., and died the 22nd, 1443,* leaving by Margaret his wife, one of the daughters and coheirs of Sir Henry Percy of Athol, Henry his son and heir, and according to an Harleian MS.,† a daughter Elizabeth, who married John Welles.

* Esch. no. 35

† No. 1985.

Henry, the last lord Grey of Codnor, had summons to parliament from the 38 Hen. VI. to the 11 Hen. VII., the writs addressed to *Henrico Grey, Militi*, but never with the addition of *Codnor*, as had been given to his predecessors. He was married three times, but died without legitimate issue,^a leaving his aunts, or their issue, his coheirs; of these Lucy married Sir Rowland Lenthall, and had two daughters, whereof Catherine married William lord Zouche, of Haryngworth; and Elizabeth wedded Thomas Cornwall, titular baron of Burford; Eleanor married Thomas Newport, of High Ercall in the county of Shropshire; and Elizabeth married Sir John Zouche, knight; Between the representatives of which coheirs the barony is presumed to be now in abeyance, together with a moiety of the barony of Basset of Sapcoate.

COHEIRS OF THE BARONY OF GREY OF CODNOR.



* She appears to have had a prior husband Richard Vernon, 21 Hen. VI.

Among Vincent's MSS. in the College of Arms, is this statement, viz:—

Sir John Zouche, knt., of Codnor in the county of Derby, sold all his lands in England and died in Ireland, an. . . .

. dan. — Robert, second son of Sir John Milward, knight.† dan. — and coheir. — Ouseley. dan. — John Walker, of Quarne, and coheir. in the county of Derby.

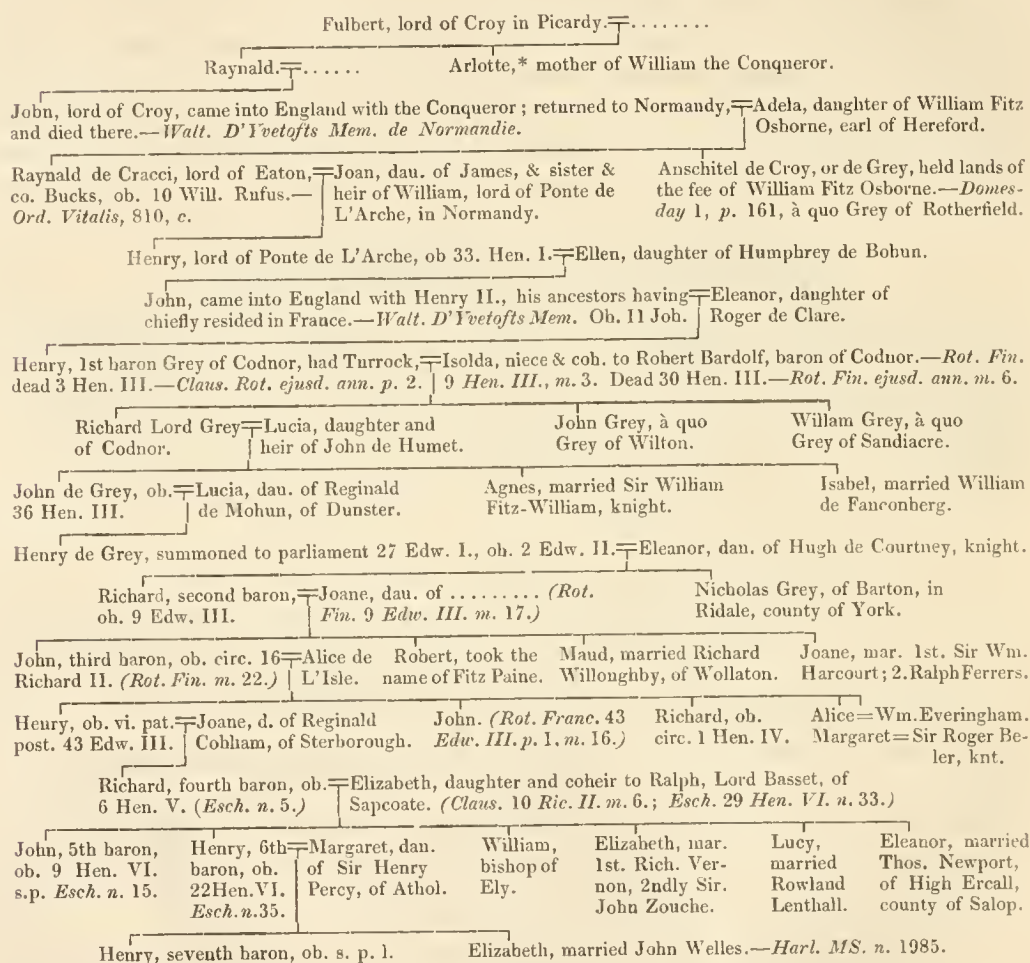
† In Dugdale's Visitation of the county of Derby, anno 1634, in the pedigree of Milward, of Eaton, it appears that Robert Milward, who was second Justice of Chester, and who certifies the pedigree, married Isabella, eldest daughter and coheir of Sir John Zouche, of Codnor, had at that time eight children living, of which the eldest was aged 12. (c. 34—85.)

^a By his will, dated 10 September, 8 Hen. VII., he gave to Richard Grey his bastard son, the manor of Ratcliffe on Trent, in the county Nottingham, and appointed that his other bastard son Henry, whom he had by Catherine Finderne, should marry Cecile Charleton. From this Henry the Greys of Langley, in the county of Leicester, are descended.

* Blore's Rutland, p. 162.

The following pedigree (in the very early part) of this certainly ancient family, having been given by the indefatigable Mr. Blore,* so very differently from any other antiquary or genealogist, and yet vouched by authorities, it is considered that it may be worthy of observation, to be compared with the accounts of Dugdale, Collins, Edmondson, and other eminent heraldic authors.

TABLE I.



* Rapin, and other historians, state this Arlotte to have been a low skinner's daughter. but probably her father was exalted after the honour the duke of Normandy had done to his family.

GREY OF WILTON.—(23 Edw. I.)

JOHN DE GREY, second son of Henry de Grey of Thurrock, died the 50 Hen. III., leaving a son and heir

Reginald de Grey, who in the 9 Edw. I., was justice of Chester, and in consideration of his services, obtained from that king a grant of the castle of Ruthyn, and other lands. He married Maud, daughter and heir of William Fitz Hugh, by Hawyse, daughter and heiress of Hugh (or Henry) de Longchamp, a great baron, whose principal seat was at Wilton, in the county of Hereford, which thereby was acquired to this family, and became the designation of its parliamentary barony. This Reginald had summons from the 23 Edw. I. to the 1 Edw. II., and was one of the barons in the parliament at Lincoln the 29 Edw. I., who affixed their seals to the letter to the pope, asserting the supremacy of England over the realm of Scotland, being designated *Reginaldus de Grey Dominus de Ruthyn*. He died the 1 Edw. II., having had issue by Maud his wife,

John de Grey, summoned to parliament from the 2 to the 16 Edw. II., as *John de Grey*. He died the 17 Edw. II., leaving by Anne his first wife, Henry his successor; and by Maud Basset his second wife, a son Roger, who was summoned to parliament as baron Grey de Ruthyn.*

* Vide Grey de Ruthyn.

Henry de Grey, eldest son of John was summoned from the 18 Edw. II. to the 16 Edw. III., as *Henry de Grey*, in which year, 1342, he died, leaving

Reginald de Grey his son and heir who had summons from the 17 to the 34 Edw. III., as *Reginald de Grey*; but after the 23 with the addition of *senior*, but for what reason does not appear, for there was not any other Grey of the name of Reginald in any of the said summonses. To him succeeded Henry his son, by Maud his wife, one of the daughters and coheirs of John de Botetourt,^a which

Henry had summons from the 1 to the 18 Richard II. as *Henry Grey de Wilton*, when the other barons of the Grey family were distinguished by their additions of *de Codnor* and *de Ruthyn*; but in the 50 Edw. III. he was summoned by the designation of *Henry Grey de Shirland*, being the only occasion when he is so described. He died in 1395, leaving

Richard his son and heir then very young, who was never summoned to parliament. He died in 1442, and was succeeded by his son

Reginald de Grey, who had summons from the 23 Hen. VI. to the 11 Hen. VII., as Reginald Grey de Wilton. He married Tacina, daughter of Owen Tudor, by Catherine the French princess, widow of king Hen. V.; and was succeeded by his son and heir,

^a In Dugdale's pedigree of Botetourt, she is called Abbess of Polesworth; but as she survived him, she probably became abbess after his death; yet if she is the same Maud, wife of Reginald de Grey, her descendant heirs would have been coheirs to the barony of Botetourt, which does not appear in the claim of Mr. Norborne Berkely to that title.

John de Grey, who was summoned to parliament the 12 Hen. VII., but never at any other time.

Edmund de Grey, son and heir of John, was summoned the 1 Hen. VIII., but died soon after, viz., the 3 Hen. VIII., 1511. By Florence his wife, daughter and coheir of Sir Ralph Hastings, he had four sons, viz: George, aged seventeen, the 3 Hen. VIII., who died s.p.; Thomas, aged eighteen, the 7 Hen. VIII., who died the 9 Hen. VIII., s.p.; Richard, aged twelve, the 10 Hen. VIII., who also died s.p.; whereby, William, the youngest son, eventually, by the decease of his brothers, succeeded to the barony. This

William de Grey had summons from the 21 Hen. VIII. to the 6 of Phil. and Mary, and died the 5 Queen Elizabeth, 1562, leaving

Arthur lord Grey de Wilton, his son and heir, summoned from the 8 to the 35 queen Eliz. He was twice married. His first wife was Dorothy, a natural daughter of Richard lord Zouche, of Haryngworth, by whom he had a daughter Elizabeth, who married Sir Francis Goodwin, knight, and had a son Arthur, who left an only daughter and heir Jane, who married Philip lord Wharton. His second wife was Jane Sibilla Morison, by whom he had Thomas his son and heir; William, who died s.p.; and a daughter Bridget, who married Sir Rowland Egerton, bart. He died in 1593, when

Thomas succeeded his father, and was the last baron of this eminent family. He had summons in the 39 and 43 of Queen Eliz.; but being accused of being concerned in Raleigh's plot, he was tried by his peers, found guilty, and had sentence of death passed upon him; but was pardoned as to life, and died in the tower, in 1614. Being attainted, all his honours became forfeited, which otherwise would have been in abeyance between his two sisters, Elizabeth, and Bridget, before mentioned.

In 1784, Sir Thomas Egerton, bart., great-great-great-grandson of Sir Rowland Egerton, and Bridget Grey, his wife, was created baron Wilton; and by other letters patent, dated June, 1801, was advanced to the title of earl Wilton, with remainder in default of issue male, to his grandson, Thomas Grosvenor, second son of Eleanor, his daughter, wife of Robert, then viscount Belgrave, afterwards earl Grosvenor, and now marquess of Westminster; which Thomas Grosvenor, on the decease of the earl of Wilton, succeeded accordingly, and has taken the name of Egerton. The barony created in 1784 became extinct; but the viscounty and earldom have a fair prospect of long continuance, being limited in failure of issue male of Thomas Grosvenor, to the third fourth, and every other son of the said Eleanor, and their issue male, successively and respectively.

GREY OF RUTHYN.—(18 Edw. II.)

THIS barony commenced in the person of Roger de Grey, son of John lord Grey of Wilton, by Maud Basset his second wife, which Roger was summoned to parliament from the 18 Edw. II. to the 25 Edw. III., as *Roger de Grey*. He married Elizabeth, daughter of John lord Hastings by Isabel his wife, one of the daughters and coheirs to William de Valence, earl of Pembroke, and by her had a son John who died before him, and Reginald who was his successor, which

Reginald de Grey had summons from the 28 Edw. III. to the 11 Richard II., as *Reginald Grey de Ruthyn*. He died in 1388, and was succeeded by his son and heir, another

Reginald, who had summons from the 13 Richard II. to the 18 Hen. VI., inclusive.^a He died the following year, 1440, having been twice married: first, to Mary, daughter of William lord Ross, by whom he had a son Sir John Grey who died in his lifetime, leaving by Constance his wife, daughter and coheir of John Holland, duke of Exeter, a son Edmund, who was the next baron.^b His second wife was Joane, daughter and coheir of William lord Astley, by which lady he had Edward Grey his son, who, having married the heiress of Ferrers of Groby, had summons to parliament by that designation.*

Edmund de Grey, fourth baron of Ruthyn, and heir to his grandfather, was summoned to parliament from the 23 Hen. VI. to the 2 Edw. IV., as *Edmund Grey de Ruthyn*. But in the 5 Edw. IV. he was advanced to the dignity of earl of Kent, and died shortly after, viz., in 1488. He had issue a son Anthony, who died before him, as said, s.p.,^c and George his successor, in whose issue of male continuation of the earldom of Kent, the barony of Ruthyn remained merged till the death of Henry, earl of Kent, his great-great-grandson, in 1639, when dying s.p., the barony of Grey of Ruthyn devolved upon his sister and heir Susan; and the earldom of Kent upon Anthony Grey, the next heir male, grandson of Anthony Grey of Branspeth, younger brother to Sir Henry Grey of Wrest, in the county of Bedford, great-grandfather of the deceased Henry who died in 1639.

^a He had the famous contest in the Court of Chivalry with Sir Edward Hastings, respecting the arms of Hastings, which were adjudged in his favour. In the rolls of parliament, vol. iv., p. 312, he is styled lord Hastings, Weysford, and of Ruthyn, 4 Hen. VI., anno 1425.

^b He had also a son Thomas, who was created lord Grey of Rugemont, but died s.p. in 1461, and having been attained his title was forfeited.

^c In Collins's Parliamentary Precedents may be seen the accusation of Sir Gilbert Dethick, Garter king of arms, for making a false pedigree, stating that this Anthony, eldest son of Edmund, first earl of Kent, left a daughter Catherine who married one Rotheram, and as such was entitled to the barony of Grey of Ruthyn. Dethick was found guilty and committed to the Marshalsea. The officers of arms, it thereby seems, are not always pure and immaculate.

* Vide Ferrers, sive Grey, of Groby.

LONGUEVILLE, BARON GREY DE RUTHYN.

SIR MICHAEL LONGUEVILLE ^a having married Susan, daughter of Charles, and sister and heir to Henry, earl of Kent, had issue Charles, his son and heir, which

* Journ.Dom. Proc. Charles Longueville claimed, and was allowed the barony of Grey de Ruthyn, in 1640, and was introduced into House of Lords the 10th of February 1640 ;* but he did not enjoy the peerage long, deceasing in 1643, in the king's garrison at Oxford. He married Frances, one of the daughters and coheirs of Edward Neville, esq., and left issue an only daughter and heiress Susan, who married Sir Henry Yelverton, bart.

YELVERTON, BARON GREY DE RUTHYN, AND EARL OF SUSSEX.

SIR HENRY YELVERTON died in the flower of his age,—3rd Oct., 1670, leaving, by the aforesaid Susan, baroness Grey de Ruthyn, his wife, who died the 28th of January 1676, three sons, as also a daughter, who married Christopher, viscount Hatton. Of the sons, the eldest,

† Ibid. Charles Yelverton, succeeded his father in his baronetcy, and on the decease of his mother, in 1676, became baron Grey de Ruthyn, and sat first in parliament, the 21st of October, 1678,† but died shortly after, the 17th of May, 1679, of the small-pox ; when being unmarried, the title fell to his next brother Henry, which

‡ Ibid. Henry, second Yelverton baron Grey de Ruthyn, does not appear to have ever taken his seat in the House of Peers, by that title,^b but having been advanced to the dignity of viscount Longueville, the 2 William and Mary, he was introduced therein as viscount, the 29th of April, 1690.‡ He died the 24th of March, 1703-4, aged 40, leaving by Barbara his wife, daughter of John Talbot, of Laycock, two sons, viz., Talbot, and Henry, and also five daughters. Of the sons,

Talbot, second viscount Longueville, at the coronation of George I., carried the golden spurs, as his father had done at the coronation of king William and Mary ; it being an high service derived by inheritance from the family of Hastings, earls of Pembroke. In 1717 he was further advanced to the dignity of earl of Sussex,^c and took his

^a Sir Michael was descended from Sir George Longueville, who married Elizabeth, one of the daughters and co-heirs of Thomas de la Roche, whose family, though omitted notice in Dugdale's Baronage, had summons to parliament in many years in the reign of Edw. I.—(*Vide De la Roche, in Vol. II.*)

^b He was under age at the time of his brother's death.

^c Sir Harris Nicolas, in his Synopsis, says he was created with a special remainder, but does not mention what that remainder was. Collins says it was in default of issue male, to his brother Henry and the heirs male of his body ; but he died s.p.

seat the 21st of November.* He died in 1731, having had issue by Lucy his wife, daughter of Henry Pelham, esq., two sons, George Augustus, and Henry. Of these, * Journ.Dom. Proc.

George Augustus, second earl of Sussex, first sat in parliament 16 November, 1749,† and died unmarried in 1758, when Henry his brother became his heir and successor, this † Ibid.

Henry, third earl of Sussex, and fifth baron Grey de Ruthyn of his family, took his seat 31st January, 1758.‡ He married, first, Hester, daughter of John Hall, of Mansfield Woodhouse, in the county of Nottingham, esq., and by her, who died in 1777, had an only daughter Barbara.^a His second wife was Mary, daughter of John Vaughan, esq., of Bristol, but by her he had not any issue;^b and deceasing in 1799 without issue male, the titles of viscount Longueville and earl of Sussex became extinct; but the barony of Grey of Ruthyn devolved upon the issue of his daughter Barbara, before mentioned, who died in his lifetime, having married Edward Thoroton Gould, esq., colonel of the Nottingham militia. ‡ Ibid.

GOULD, BARON GREY DE RUTHYN.

EDWARD THOROTON GOULD, esq., who married Barbara, only daughter and heir of Henry Yelverton, earl of Sussex, eloped with her from an Inn at Barnet, and thence proceeded to Gretna Green. This marriage brought on her all the displeasure her father could evince against her. By the colonel she had issue a daughter Barbara, born 25th January, 1777; Mary, born 5th May, 1778; and a son Henry Edward, born in September, 1780, which

Henry Edward Gould, on the decease of the earl of Sussex in 1799, became baron Grey de Ruthyn, and took his seat in parliament 1st April, 1802.§ He deceased in 1810, leaving an only daughter and heiress Barbara, then very young, who married the present marquess of Hastings, and carried with her the ancient barony of Grey de Ruthyn. § Ibid.

GREY SIVE FERRERS OF GROBY.—(25 HEN. VI.)

Sir Edward Grey, knight, eldest son of Reginald, third baron Grey of Ruthyn, by his second wife Joan, daughter and coheir of William, son and heir of Thomas lord Astley, having married Elizabeth, daughter and heir of Henry, eldest son (who died vitâ

^a He had a son Henry Talbot, who died an infant, born and baptized the 19th of August, and buried at Mansfield Woodhouse, the 20th of September, 1757.

^b The earl is said to have married this second wife, who was a young woman, he being in the decline of life, in hopes of having other issue to perpetuate his resentment against his daughter, and disappoint her expectations.

patris) of William lord Ferrers of Groby, had summons to parliament the 25 Hen. VI. the writ being directed "*Edwardo de Grey Militi, Domino de Ferrers de Groby.*" His designation therefore was lord Ferrers de Groby, as a distinction from Ferrers of Chartley; but his descendants have generally styled themselves, as it would seem improperly, barons *Grey of Groby*.—(Vide Ferrers of Groby.)

GREY OF ROTHERFIELD.—(25 EDW. I.)

THE first of this family who became a baron by writ of summons was John de Grey, descended from Robert, a younger son of Henry of Thurrock, according to Dugdale; but from Robert, elder brother of the said Henry, according to Collins and others; and according to Mr. Blore; which

* Vide Odingesells, vol. ii.

John de Grey had summons to parliament the 25 Edw. I., and afterwards died the 5 Edw. II., without being again summoned. He married Margaret, one of the daughters and coheirs of William de Odingesells, of Maxtock in the county of Warwick,* whom he left surviving, and John his son and heir; which

† Vide Marmion.

John de Grey was summoned from the 12 to the 31 Edw. III., as "*John de Grey de Rotherfield.*" He was twice married, first to Catherine daughter and coheir of Bryan Fitz-Alan, of Bedale, in the county of York; second to Avise, daughter and coheir to John lord Marmion, by whom he had two sons, John and Robert, who took their mother's surname of Marmion.† He died the 33 Edw. III., when

‡ Rot. Fin. m. 29.

John de Grey, his son, by Catherine his first wife, was the next baron, and summoned to parliament from the 34 to the 47 Edw. III. He died the 49 Edw. III., leaving Bartholomew his grandson and heir, viz., son of John his eldest son, who died vi. pat.; which

§ Esch. no. 38.

Bartholomew never had summons to parliament, but died s.p., the 50 Edw. III.,‡ leaving his brother

Robert de Grey his heir, who, though mentioned by Dugdale in his index to his writs of summons to have been summoned the 1 Ric. II., yet has not his name mentioned in the writ itself. This Robert died the 11 Ric. II.,§ leaving, according to Dugdale, Joane his daughter and heir, by Elizabeth his wife, daughter and coheir of William de la Plaunche, of Haversham, in the county of Buckingham; which Joane married^a Sir John

^a She is said to have married a second husband, Sir Ralph Boteler, who died s.p.s.; but in Collins's Peerage Edit., 1768, vol. vi., p. 38, she is stated to have been *daughter and heir of Thomas Grey, son and heir of Robert lord Grey of Rotherfield, by Elizabeth de la Plaunche*; and to have married Guy de Bretton, serjeant at law, one of whose two daughters and coheirs, Maud, married John Boteler, &c. And in Collins's Baronetage, vol. i., p. 307, it is recited, that Thomas Littleton married Maud, daughter and heir of Richard Quatermain, of a large estate at Rycote and North Weston, in the county of Oxford, by Joane his wife, daughter and coheir of Grey of Rotherfield, in that county.

Deincourt, knight, and had by him two daughters and coheirs, whereof, Alice married William lord Lovel; and Margaret, Ralph lord Cromwell; but she dying s.p., the barony vested in John lord Lovel, son of the said Alice; and Francis viscount Lovel, her grandson being afterwards attainted in 1487, the barony and all his other honours became forfeited. It, however, is said by other authorities, that Robert Grey of Rotherfield had another daughter Julian, who was coheir with Joane, and married Edmund Mussenden, and had issue Bernard Mussenden, whose daughter and heir married John Spigurnel, who had a daughter and heir Agnes, who married John Frome. Assuming this statement to be correct, the barony of Grey of Rotherfield was not forfeited by the attainder of Francis viscount Lovel, but only his moiety; and therefore the barony remains in abeyance. The coheirs of the Lovel's moiety are the present lord Beaumont, and the earl of Abingdon.

GREY OF POWYS.—(22 Edw. IV.)

THE occasion whereby this family of Grey became ennobled, was from the marriage of Sir John Grey, knight, with Jane, eldest of the two daughters and coheirs of Edward de Cherleton,* who was summoned to parliament from the 3 Hen. IV. to the 9 Hen. V., as *Edward Charleton de Powys*; though the first summons of his great-grandfather John de Cherleton, the 17 Edw. II., was only as *John de Cherleton*, the subsequent addition of *de Powys* being merely nominal, as referring to the baronial land of which he was possessed; and not creating a title for that was personal under his first writ of summons. This

* Vide Cherleton.

Sir John Grey, having greatly distinguished himself in the wars of France, had a grant from king Hen. V. of the earldom of Tankerville, to hold by homage and delivery of an helmet at the castle of Roan on the feast day of St. George. He was afterwards slain with the duke of Clarence, and divers of the English nobility, in the disastrous battle at Baugy Bridge. By Joan de Cherleton his wife, he had

Henry Grey, his son and heir, who died the 28 Hen. VI., having married Antigone, natural daughter of Humphrey, duke of Gloucester, and had issue a son Richard, and a daughter Elizabeth who married Roger Kynaston, a younger son of Griffin Kynaston, of Stokesay, in the county of Salop, esq., which

Richard Grey is supposed to have sat in parliament the 33 Hen. VI., as according to the rolls of parliament there is mentioned "*Dominus de Powys*" to have been a trier of petitions; yet in the writs of summons of that year, there is not contained the name of either *Cherleton* or *Grey*, as *Dominus de Powys*; therefore, who was the *Dominus de Powys* of that time remains unexplained, unless it alluded to this Richard. Being an

adherent to the House of York, he was attainted the 38 Hen. VI., and deceased the 6 Edw. IV. By his attainder he forfeited his coheirship in the barony of *Cherleton of Powys*, and the earldom of Tankerville; which last, as France had been lost to the crown of England, became a nullity. But it appears that the said Richard, by the name of *Richard lord Powys*,^a with several others, were pardoned, and all their hereditaments and profits only forfeited. This Richard, besides a son John, his successor, is asserted to have had a daughter Elizabeth, who married Sir John Ludlow, and by him had two daughters his coheirs, viz., Anne and Alice, who married Thomas and Humphrey Vernon.

John, son of Richard, was the first who appears to have been summoned to parliament, viz., from the 22 Edw. IV. to the 12 Hen. VII., as *John Grey de Powes*, in which year he died, leaving a son John, who dying in his minority never had summons to parliament, but who at his death, in 1504, left an only son Edward, then only one year old, which

Edward had summons from the 21 Hen. VIII. to the 5 Edw. VI., when he deceased without legitimate issue; and when, if the summons to parliament of his grandfather John, the 22 Edw. IV., created a new barony of Powys, and was not a continuation of the ancient barony of *Cherleton de Powys*, the same became extinct.

In 1732 a claim was preferred by John Kynaston, esq., descended from Elizabeth, sister to Richard the father of John Grey, summoned the 22 Edw. IV., which claim was opposed by Sir Nathaniel Curzon, bart.; assuming a descent from Anne daughter of Sir John Ludlow, by Elizabeth the *presumed daughter* of the said Richard Grey: but in both these claims it is to be observed, that neither party was descended from John, who was first summoned to parliament as *lord Grey de Powys*. In 1800* this claim was again revived by John Kynaston Powell, esq., grandson of John, the petitioner in 1732, and was similarly opposed by the Curzon family: but the question has not ever been determined by the house of lords; which leaves the barony of *Cherleton de Powys* of 7 Edw. II. in abeyance, of which, however, either the family of Kynaston, or of Curzon, is one of the coheirs.

* Journ.
Dom. Proc.

There however appears another party not hitherto noticed, which has preferred a claim militating against that of Kynaston and Curzon, which is thus set forth in a petition submitted to the house of lords, in May 1800.†

† Ibid.

Dom. Proc. 5 May, 1800.

“Upon reading the petition of the Right Honourable Thomas Lord Lilford, and of Henrietta Maria Lady Lilford, his wife, and the humble petition of Elizabeth Atherton, of Tulketh, in the county of Lancaster, spinster, setting forth that John Kynaston

^a Vide Prynne's Abridgment of the Tower Records, p. 663.

Powell, of Hardwick, in the county of Salop, esq., having preferred a petition to his majesty, stating his claim to the ancient barony of Powis; and his majesty having been pleased to refer the matter of the said petition to their lordships, the petitioners beg leave humbly to represent to their lordships that the barony of Powis is a barony in fee, descendable to the heirs general, and was created the 7 of Edw. II., by writ of summons directed to John de Cherleton; that from John de Cherleton, the said barony descended to his heirs in succession, but his great-grandson Edward de Cherleton, lord Powis, dying without male issue, left two daughters and coheirs, viz., Joan, who married Sir John Grey, knight, and Joice, who became the wife of John lord Tiptoft, and it is presumed that the said barony fell into abeyance, or suspense, amongst the issue of the said Joan and Joice: but the crown was pleased to confer the said honour upon the line of the eldest daughter Joane Grey, whose grandson Richard Grey appears to have sat in parliament as baron Powis; but John Grey, his son and heir, was summoned to parliament the 22 Edw. IV. as lord Powis; and that Edward Grey, the last lord Powis, grandson of the said John Grey, dying the 5 Edw. VI., without lawful issue of his body, the said barony fell again into abeyance among the issue of his great aunt Elizabeth, daughter of the said Richard Grey, lord Powis, and wife of John Ludlow, of Stokesay, in the county of Salop; that the said Elizabeth, by the said John Ludlow, left issue two daughters and coheirs, viz: Anne, the wife of Thomas Vernon, of Stokesay; and Alice, the wife of Humphry Vernon, of Hodnet, in the said county of Salop, as appears by sundry evidences which prove that Henry Vernon, grandson of the said Anne Vernon, and Richard Vernon, grandson of the said Alice Vernon, were next cousins and heirs at law of the said Edward, the last lord Powis; that the petitioners, the said Henrietta Maria lady Lilford, and Elizabeth Atherton, and Hesther Atherton, are the lineal descendants and heirs of the body of the said Alice Vernon, the youngest daughter and coheir of the said Elizabeth Grey and John Ludlow, viz: the daughters and coheirs of Robert Vernon Atherton, late of Atherton, in the county of Lancaster, esq., (who assumed the surname of Atherton instead of that of Gwyllim), the son and heir of Robert Gwyllim, esq., by Elizabeth his wife, sole daughter and heir of Richard Atherton, esq., who was the son and heir of John Atherton, esq., by Elizabeth his wife, only child and heir of Robert Cholmondeley, esq., by Elizabeth Vernon his wife, sister of Sir Thomas Vernon, bart., whose issue became extinct, and daughter of Sir Henry Vernon, bart., the son and heir of Sir Robert Vernon, knight, who was the son and heir of John Vernon, esq., the brother and heir of Richard Vernon, and son of George Vernon, esq., who was the son and heir of Humphry Vernon, of Hodnet, aforesaid, esq., by Alice Ludlow, above mentioned; the petitioners therefore trust that it will appear that the said barony of Powis is not in abeyance between the representatives of the said Anne Vernon, who, as the petitioners are informed, is the Right Honourable Nathaniel Curzon, lord Scarsdale, and the peti-

tioners, the said Henrietta Maria lady Lilford, Elizabeth Atherton, and Hesther Atherton, as representatives of the said Alice Vernon, the other daughter and coheir of the said John Ludlow and Elizabeth Grey, and consequently that no legal claim can be made to the said barony by any other person, or persons, whatsoever, and therefore praying their lordships that they may be heard by council against the claim of the said John Kynaston Powell, esq., to the said barony of Powis."

It is ordered that the said petition be referred to the Committee for Privileges, to whom the petition of John Kynaston Powell, esq., to his majesty, claiming the barony of Powis, stands referred; with liberty for the petitioners to be heard by their counsel against the said claim as desired before the said committee.

The Lords' Committee for Privileges sat several times, but no final decision of this controverted barony has ever been made. At one of the sittings the attorney-general stated that he had been informed that there were coheirs of John Tiptoft, earl of Worcester, still extant, who in the pedigree of one of the claimants, had been stated to be dead in 1740, but their names had not been made known to him, as such, he thought notice should be given to them; which was ordered by the committee to be given accordingly, 20th June, 1800.

GREY OF ROLLESTON.—(25 CAR. II.)

CHARLES NORTH, son and heir apparent to Dudley, the fourth baron North, having married Katherine, daughter of William lord Grey of Werke, was summoned to parliament by special writ the 17th October, 1673, and was introduced the 27th October, by the title of Charles lord Grey.* In Dugdale's Lists of Summons, the 17th October, 31 Car. II., he is mentioned as *Charles North Grey de Rolleston Chiv.* He had two sons, William his successor, and Charles who died unmarried; also two daughters who died in their infancy. He succeeded his father as fifth baron North, in 1677, and died in 1690.

William, sixth lord North, and second lord Grey, sat first in parliament by the titles of North and Grey, 16th January, 1698;† but died s.p. in 1734, when the barony of Grey of Rolleston became extinct.

* Journ.
Dom. Proc.

† Ibid.

GREYSTOCK.—(22 EDW. II.)

WILLIAM DE GREYSTOCK, great-grandson of Ranulph, lord of Greystock, in the county of Cumberland, married Mary, eldest of the three daughters and coheirs of Roger de

Merley, of Morpeth, an eminent feudal baron in Northumberland, and thereby acquired the baronial manor of Morpeth in that county; dying circ. 17 Edw. I., he was succeeded by

John de Greystock his son and heir, who had summons to parliament from the 22 to the 33 Edw. I., being in the writ of the 22 Edw. I. styled *baron de Greystock* only; but in the following one of the 23 *John baron de Greystok*; and in others subsequent, sometimes *John baron de Greystok*, and only *John de Greystok*. In the 29 Edw. I., though not summoned to the parliament at Lincoln, he had his seal appended to the letter then written by the barons to the pope, being designated *Johannes de Greystoke Dominus de Morpeth*. He died 34 Edw. I., but not having any issue his barony became extinct as a parliamentary one created by virtue of his writs of summons. His brothers and uncles being all dead without issue male, he settled* his manor and barony of Greystok, with other lands, with all his purparty of the manor of Morpeth, upon Ralph, the son of William Fitz Ralph, (lord of Grimethorpe in the county of York) by Joane his aunt, which Ralph Fitz William succeeded thereto accordingly.

* Dugd. Bar. vol. i., p. 740.

RADULPH, OR RALPH FITZ WILLIAM DE GREYSTOK.—(23 EDW. I.)

THIS Ralph Fitz William, before the said settlement, had been summoned to parliament from the 23 Edw. I., as *Ralph Fitz William*, and by the same description from thence to the 9 Edw. II. In the 29 Edw. I., he was one of the barons in the parliament at Lincoln who subscribed his name and appended his seal to the famous letter then written to the pope, being designated "*Radulphus filius Willielmi Dominus de Grimthorp*." In the 24 Edw. I. he was found brother and heir to Geffery Fitz William, of Yorkshire,† and had livery of his lands. He married Margery, widow of Nicholas Corbet, daughter and coheir of Hugh de Bolebec, and in her right acquired a moiety of the barony of Bolebec, in the county of Northumberland. Dying an aged man, circ. 9 Edw. II., he was succeeded by Robert his second son, William his eldest having died in his lifetime, s.p., which

† Rot. Fin. 24 Edw. I., m. 6.

Robert survived his father only a short time, dying the following year, 10 Edw. II., without having been ever summoned to parliament, and leaving Elizabeth his widow, and Ralph his son and heir, æt. 18; which

Ralph^a was the first of this family, who after it had succeeded to the Greystock estates, took the name of Greystock, by which he was summoned to parliament from the 14 to the 16 Edw. II., the year after which he died, and was succeeded by

^a As he and all his successors were summoned to parliament by the title of Greystock, it may be questioned whether he did not thereby originate a second barony in his own person, distinct in name from that of his grandfather Ralph Fitz-William, although they were both merged in the same course of descent.

William de Graystock his son and heir, then very young, who had afterwards summons to parliament from the 22 to the 31 Edw. III., and latterly as *William baron de Graystok*. He died in 1358, 32 Edw. III., leaving then in minority,

Ralph his son and heir, summoned from the 49 Edw. III. to the 5 Hen. V., as *Ralph baron de Graystok*, in which year he died and was succeeded by his eldest son John, then 28 years of age, which

John de Greystock had summons from the 7 Hen. V. to the 13 Hen. VI., inclusive, as *John baron de Greystok Chiv'*. He married Elizabeth, one of the daughters and co-heirs of Robert Ferrers, of Wemme, by Elizabeth his wife, daughter and heir of William lord Boteler, of Wemme, and had issue by her several sons, whereof

Ralph the eldest, was summoned from the 15 to the 18 Hen. VI., and afterwards to the 1 Hen. VII., as *Ralph* (not baron) *de Greystoke Chiv'*. He died the 2 Hen. VII., 1487, leaving Elizabeth his granddaughter and heir, being sole daughter and heir of Robert his eldest son, who died vi. pat.;^a which Elizabeth married Thomas lord Dacre, of Gillesland, as mentioned under that title,* and whose heirs general are as therein mentioned, viz., the lords Stourton and Petre, and the earl of Carlisle.

* Vide Dacre.

HACCHE.—(26 & 27 EDW. I.)

EUSTACE DE HACCHE, of Hacche, in the county of Wilts, had summons the 26 Edw. I. to attend at Carlisle, *equis et armis*; in which writ the earls and barons being distinguished by their respective ranks, he is mentioned as a *baron*. In the following year, the 27 Edw. I., he had summons to parliament; and from thence to the 33 Edw. I., inclusive.

In the 29 Edw. I. he was one of the barons in the parliament at Lincoln, who signated the letter from the nobility of England to the pope, being then designated "*Eustachius Dominus de Hacche*."†

† Dugd. Lists
of Summ.

Dugdale recites, that in the 7 Edw. I. he was a *menial servant* in the household of the king, and became greatly distinguished by his services in the wars of Scotland; from which it may be inferred, that his merits caused him to be called to the rank of a baron, and not from any pretension thereto, as a baron by tenure.

He died the 34 Edw. I., leaving by Amicia his wife,‡ a daughter and heir Julian, who married John Hansard.§^b

‡ Orig. 2 Edw.
II., Rot. 2.
§ Gross Fin.
34 Edw. I.
Rot 14.

^a He married Elizabeth daughter of Edmund De Grey, earl of Kent, and died the 15th of July 1483, 1 Ric. III.

^b A Gilbert de Hansard was among those who were summoned as barons the 45 Hen. III., to the parliament then called by the king to meet in London.—(Vide copy of the *Exemplar Writ*, and *Consimilar of names* in vol. ii.)

HANDLO.—(1 Edw. III.)

JOHN DE HANDLO had summons, *equis et armis*, the 1 Edw. III. to Newcastle-upon-Tyne; and in the 16 Edw. III. to a great council to be holden at Westminster, but which was afterwards prorogued,* and as he never after had any summons, it does not seem that he had at any time acquired a parliamentary descendable barony. He married Maud, widow of John Lovel, sister and heir of Edward Burnell, and had issue two sons, viz., Richard and Nicholas, which Nicholas having succeeded to the possession of the barony of Holgate, Acton Burnell, and other lands, by virtue of a certain fine levied with a remainder to him, assumed his mother's name of Burnell, and had summons to parliament, as under that title has been before noticed.†

* Dugd. Lists of Summ.

† Vide Burnell.

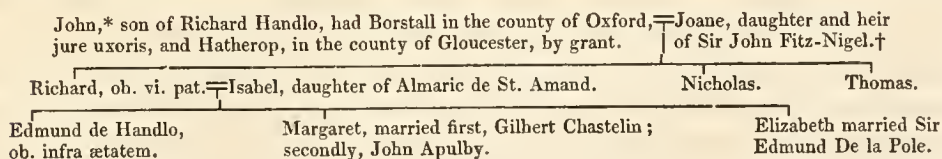
Richard, eldest son of John de Handlo, died *vitâ patris*, leaving a son Edmund heir to his grandfather, but who never had summons to parliament, dying in his minority, s.p., and leaving his sisters his coheirs; of which, Joan died unmarried; Elizabeth married Sir Edmund de la Pole, knight; and Margaret married, first, Gilbert Chastelin, s.p., and secondly, John Apleby; between which coheirs partition was made, as appears by the patent rolls,‡ viz: "Partition of the manors and lands belonging to Richard de Handlo and Edmund his son and heir, between Margaret, the wife of John Apleby, and Elizabeth, the wife of Edmund de la Pole, daughters and heirs of the said Richard, and sisters and heirs of the said Edmund de Handlo."

‡ Pat. Rot. 40 Edw. III., m. I

In the rolls of parliament§ mention is made of Edmund, son of Richard de Handlo, and Alice his wife; also John, son of Richard de Handlo, and Joane his wife, daughter of John Fitz Niel. But as no inheritable right of barony, founded upon the two writs of summons to John de Handlo, the 1 and 16 Edw. III., can be supported therefrom, any further account would be an irrelevant detail; though Margaret, the wife of Apleby, left issue, as did Elizabeth, the wife of Sir Edmund de la Pole.

§ Rot. Parl. v. ii., p. 215, no. 53.

Atkins, in his History of the county of Gloucester|| gives the following descent:— || P. 223.



* He levied a fine of Hatherop to himself for life; remainder to Richard his son, and Isabel his wife, in special tail; remainder to Nicholas and Thomas the brothers to Richard in tail; remainder to his own right heirs, the like fine of Coln St. Alwyas. John Apulby had Hatherop, and Coln St. Alwyas.

† Vide Lysoos' Mag. Brit. vol. i., p. 517. Borstall in the county of Buckingham.

HARINGTON.—(18 Edw. II.)

JOHN DE HARINGTON, or Haverington, by which last name he is called in the early writs, had summons to parliament from the 18 Edw. II. to the 21 Edw. III. But it is to be observed that the first summons, the 18 Edw. II., is to a *great council* to be holden at Westminster, but is not called a *parliament*. His name appears in a writ of the 17 Edw. II., directed to William de Bereford, summoning the king's council, when he, with a few others are denominated *barones*. He had issue Robert his son, who died in his lifetime, leaving by Elizabeth his wife, sister and coheir to John de Multon, baron of Egremond, several sons ; whereof,

John de Harington, the eldest, succeeded his grandfather, and was summoned to parliament in the 22 and 23 Edw. III. ; but in those years only, though he did not die till the 37 Edw. III., (1363,) at which time he was seised of the third part of the manors of Multon and Egremond, and other lands, parcel of the barony of Multon of Egremond, Robert his son and heir being then in minority ; which

Robert, the 51 Edw. III., making proof of his age, and doing his homage, had livery of his lands ; and having been summoned to parliament from the 1 Ric. II. to the 4 Hen. IV., died the 7 of the same reign, (1405,) leaving by Isabel his wife, daughter and coheir of Sir Nigel Loring, K. G., John his son and heir ; which

John de Harington is stated in the rolls of parliament to have been present therein, the 22 Dec., 1406, (8 Hen. IV.): it is then evident that all the writs after the 7 Hen. IV., as mentioned in Dugdale's lists of summons to bear the name of Robert, to the 4 Hen. V., must be an error on the rolls, and ought rather to have been written John. He died in 1418, s.p., and was succeeded by his brother

William de Harington, who had summons from the 8 Hen. V. to the 18 Hen. VI., but not afterwards, though he lived some years, not dying till the 36 of the same reign, (1457,) when he left William Bonville, son of his daughter Elizabeth, (who deceased before him,) his grandson and heir ; which William lord Bonville and Harington, (*jure matris*,) left an only daughter Cecily, his heir, who married Thomas Grey, marquess of Dorset ; whose grandson, Henry, duke of Suffolk, being afterwards attainted in 1554, the baronies of Bonville, Harrington, and all the other honours of that noble family became forfeited : to which, otherwise the present duke of Buckingham and Chandos, in right of his mother, would be heir general ; and the present earl of Stamford and Warrington, heir male.

The following pedigree in the possession of the author differs from the preceding statement, viz :

Sir William Har-—Margaret, sister to Thomas, son of Sir Robert Nevill, of Hornby, and aunt
rington, K. G. } and coheir of Margaret, duchess of Exeter.—(*Vide Robert Nevill ut antea.*)

Sir Thomas Hariugton, knight, of Hornby, æt. 40, ao. 19 Hen. VI., ob. the day after the—Elizabeth, dau. of Tho-
battle of Wakefield, of his wounds received therein. }mas lord Dacres.

Sir John Harrington, slain at the battle of Wakefield.—Maud, dau. of Thos. lord Clifford.

Anne, eldest dau. and coh., æt 5, anno 1460, mar. Edw.—Elizabeth, youngest dau. and coh., æt. 4, anno 1460, mar.
Stanley, lord Monteagle, ob. s.p., 5 Aug., 4 Hen. VII. } Ist., John Stanley, 2ndly, Rich. Beaumont, of Whitley.

HASTANG.—(5 EDW. II.)

THIS family was anciently seated at Leamington, in the county of Warwick, thence called Leamington Hastang.

Robert de Hastang, in the 41 Hen. III., gave a mark in gold for respiting his knighthood. He married Joane,* daughter and coheir of William de Curli, and had issue another

* Chart. Rot.
37 Hen. III.,
m. 5.

Robert de Hastang, who, though not summoned to the parliament at Lincoln the 29 Edw. I., yet was one of those who subscribed their seals to the letter then written to the pope,† being then designated "*Robertus Hastang Dominus de Desiree.*" The cause of his not being summoned was probably from his being in Scotland, and at that time constable of Roxburgh castle.‡ The 5 Edw. II. he had summons to the parliament at Westminster; and in the writ is styled a baron; the earls and barons being distinguished by their respective ranks:§ but this meeting was prorogued, and another parliament summoned to meet at Lincoln, in the writ whereto his name is not mentioned. After this he was never again summoned.

† Dugd. Lists
of Summ.

‡ Lib. Quotid
Contrarot.
Gard. 28 Edw.

§ Dugd. Lists
of Summ.

THOMAS DE HASTANG.—(16 EDW. III.)

THOMAS DE HASTANG (his grandson) had summons the 16 Edw. III., to a great council to be holden at Westminster;|| and as Dugdale asserts, was summoned to parliament the 5 Edw. III.: his name, however, does not appear in any writ of that year. || Ibid.

John de Hastang his son was never summoned. He had issue two daughters and coheirs, viz.; Maud, who married Sir Ralph Stafford; and Joane,¶ not Isabel, as said by Dugdale) who married Sir John Salisbury, which Sir John was afterwards attainted and decollated.** Sir Humphrey Stafford, great-grandson of Sir Ralph, was also attainted the 1 Hen. VII., but his son Sir Humphrey Stafford was restored the 19 Hen. VII.

¶ Orig. 49 Ed.
III., Rot. 23.

** Esch. 11
Ric. II., n. 69
Claus. 12 Ric.
II., m. 44.

HASTINGS.—(49 HEN. III.)

HENRY DE HASTINGS^a married Ada, fourth daughter of David, earl of Huntingdon, by Maud his wife, one of the sisters and coheirs, eventually, of Ranulph, earl of Chester, and shared in the division of that great inheritance. He died 1250, leaving

Henry de Hastings his son and heir, who was one of the principal of the barons adhering to the party of Simon de Montfort, earl of Leicester, and had summons to the parliament called by them in the king's name the 49 Hen. III. He was the resolute governor of Kenilworth castle which held out so long against the king's army, and when it did surrender, was excepted out of the Act of Grace, called the Dictum de Kenilworth. He, however, afterwards made his peace, and was admitted to the benefit of that decree. By Joane his wife, daughter of William, sister and at length coheir to her brother George de Cantilupe, baron of Bergavenny, he had two sons, viz., John and Edmund, whereof the eldest,

John de Hastings succeeded his father, and had summons to parliament from the 23 Edw. I. to the 6 Edw. II.^b In the 29 Edw. I. he was one of those who subscribed the famous letter sent by the barons to the pope, on which occasion he is denominated "*Johannes de Hastings, Dominus de Bergavenny*," thereby intimating that *Bergavenny* was the name of the barony by virtue of which he was called to parliament. He died circ. 1315, having been twice married. By Isabel his first wife, daughter of William, and sister and coheir to Aymer de Valence, earl of Pembroke, he had John his son and heir;^c also two other sons who died s.p.; and three daughters, of which, Elizabeth married Roger lord Grey of Ruthyn. By Isabel his second wife, daughter of Hugh Despenser, earl of Winchester, he had two sons, Hugh and Thomas, which Hugh was of Gressing Hall, in the county of Norfolk.*

* Vide Hugh de Hastings.

John, next baron Hastings, had summons to parliament from the 6 to the 18 Edw. II., when he died, leaving by Julian his wife, daughter and heir of Thomas, and granddaughter and heir of William baron de Leyburn, Lawrence his son and heir, which

Lawrence de Hastings, by reason of his descent from Aymer de Valence, earl of Pembroke, was advanced to that title, the 13 Edw. III. He died in 1348, and was succeeded by his only son John, born after his decease. This

^a In Camden it is related that at the beginning of the Norman Conquest there were great men in Sussex, sur-named De Hastings; one of whom, Matthew de Hastings, held the manor of Grenale by *the tenure that he should find at the haven of Hastings an oar whenever the king should cross the sea*.

^b He was present in the parliament of the 18 Edw. I., when the earls and barons gave an aid to the king for the marriage of his eldest daughter. But there is not extant any writ of summons for that year.—(*Vide Rot. Parl. vol. i. p. 25.*)

^c *Vide Rot. Pat. 25 Edw. I., Pars. 2. m. 2., viz.:—*Maritagium inter Willielmum de Hastings fil. & hæred. Johannis de Hastings D'ns de Abergenny & Alianor' filiam seniore Will'mi Martin D'ni de Kameys, ac Edd'um filium et hæredem d'ci Will'i & Jonett filiam seniore dicti Joh'nis.

John, second earl of Pembroke, died 49 Edw. III., (1375), having, as stated by Dugdale, in the 43 Edw. III. made a feoffment by the king's licence of all his castles, lordships, manors, &c., in England and Wales, to certain uses; which feoffment on his death was found to be, that provided he died without issue of his body, the town and castle of Pembroke should come to the king, his heirs, and successors; and the castle and lordship of Bergavenny, and other lands in England and Wales to his cousin William de Beauchamp, his mother's nephew, in fee. At his decease, his only son John was under three years of age; which

John, third earl of Pembroke, the 13 Ric. II., was unfortunately so wounded by a lance, at a tilt, that he died thereof, being then only about seventeen years old, dying s.p., the earldom of Pembroke ceased; but the barony of Bergavenny, with the castle &c., passed to William de Beauchamp, who was a stranger in blood to the Hastings' family.

It is here to be considered how far the barony of Hastings may be deemed a personal barony, created by the writ of summons of Henry de Hastings, the 49 Hen. III., or as a barony attached to the tenure and possession of the castle of Bergavenny, which, in the parliament at Lincoln, the 29 Edw. I., John de Hastings (son of Henry) appears to have denominated his baronial honour.

The writ of the 49 Hen. III. can scarcely be imagined to have created an hereditary barony. There is no proof of a sitting under it; there is wanting proof that the parliament then summoned ever met. It was called by the rebel barons in the king's name; but he was then in duress, and in their power. The persons summoned were a partial few, the friends of the rebel barons; the king's friends were excluded. The subsequent battle of Evesham, and the surrender of Kenilworth castle put an end to the supremacy of the rebel barons' power, while the dictum de Kenilworth enacted, that no earl or baron should after come to parliament, unless specially summoned thereto. There is not any evidence of any Hastings being so summoned before the 23 Edw. I., (though, no doubt parliaments were holden in the intermediate time,) but it is only in the 29 Edw. I. that there is a manifest of the names of the baronies which the persons then summoned possessed. Barony at that time was a service of council incident to tenure, which the crown could require, or omit; but the writ was not creative. If then the barony of Hastings was connected with Bergavenny, it terminated with the alienation to Beauchamp; if referred to under the writ of the 49 Hen. III., it seems as void as the creation of any of Oliver Cromwell's peers. The house of lords has, however, by a recent resolution (1841) allowed the barony on claim to Sir Jacob Astley, bart., a coheir representative of Hugh de Hastings, brother of the half blood to John father of Lawrence, first Hastings earl of Pembroke; and right lawful heir to Henry summoned the 49 Hen. III., and to John his son, summoned the 23 Edw. I.

EDMUND DE HASTINGS.—(28 EDW. I.)

EDMUND DE HASTINGS, a younger son of Henry, by Joane his wife, daughter and coheir to William de Cantilupe, baron of Bergavenny, and coheir to her brother George de Cantilupe, had summons to parliament from the 28 Edw. I. to the 7 Edw. II.; in the 29 Edw. I. by the designation of "*Edmundus de Hastings, Dominus de Enchinchelmock.*" He was one of those who subscribed the famous letter to the pope, and had his seal affixed thereto. Dugdale and other authors being silent as to whether he had any issue, it is inferred that he died s.p. Francis Thynne notices a wife Isabel, but does not mention whether any issue or not by her. He had great estates in Wales, probably part of the De

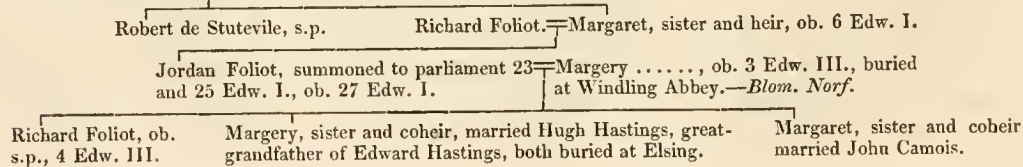
* Vide vol. ii. Braose and Cantilupe lands in that country.*

HUGH DE HASTINGS.—(16 EDW. III.)

HUGH DE HASTINGS, grandson of Hugh, son of John de Hastings by his second wife Isabel Despenser, had summons to a great council, or parliament, the 16 Edw. III., but never after. Upon the death of John, the last Hastings, earl of Pembroke, in 1389 s.p., Reginald lord Grey of Ruthyn, eldest son of Roger de Grey of Ruthyn, by Elizabeth his wife, daughter of the same John de Hastings, by his first wife Isabel de Valence, was found his heir of the whole blood, and the said Hugh de Hastings was found his heir, but of the half blood; between whose son Edward Hastings, and the said Reginald de Grey, a long controversy took place for the arms of Hastings, the right whereto was at last decided in favour of De Grey. This decision, so contrary to law, so much incensed Hastings, that he is said to have left his curse upon his family if they did not attempt to recover their right. This has eventually come to pass, and Sir Jacob Astley, bart., one of the coheirs general of the before named Edward, has recently (1841) been declared by the House of Lords right heir to the ancient barony of Hastings, and taken his seat among the peers of the realm accordingly, whose descent being now contained in the printed peerages of the day, renders a further account here unnecessary.

Dugdale observes that Edward Hastings assumed the title of lord Hastings and Stuteville, as appears by a deed under his seal of arms, dated 4th November, the 8 Hen. IV., but by what authority is not mentioned. The following pedigree may explain the same, and show that he might also have assumed the title of lord Foliot.

William de Stuteville. = Margaret, dau. and heir of Hugh de Say, of Richard's castle.—(Widow of Robert Mortimer.)



On the gravestone of Sir John de Hastings, in the chapel of Hastings, at Elsing in Norfolk, were the following verses, which began the epitaph, viz :—

Hic stratus, si quo sit natus sanguine quæris :
A proavo genitum noscas cuj nupserat hæres
Pembrokiæ Comitum, Vallensis origine nata ;
Hinc Comites plures, donec crudelia fata
Extulerant pestem (Woodstock) te convoco testem,
Qui nece sub mœsta cecidit dum frangitur bastem.
Hugo successit, miles, sibi qui sociavit
Jordani Foliot natam ; de quâ generavit

Hugonem ; sed huic Everingham nata potentis
Nupsit, et Hugonis sit mater arma valentis,
Nata cuj D'ni Spencer tedis generavit
Edwardum, cui John Dinham natam sociavit.
E quibus hoc tumulto stratus sit origo Johannes
Cui requies detur cunctis viventibus annis,
Hugo, Roberte quibus Edmundus frater habetur
Pascatis precibus celis requiescere detur.

WILLIAM HASTINGS.—(1 EDW. IV.)

WILLIAM DE HASTINGS, descended from a younger son of William de Hastings, steward to king Hen. II., and ancestor to the Hastings, earls of Pembroke, (before noticed) was summoned to parliament from the 1 to the 22 Edw. IV., as “*Will'o Hastings Militi Domino Hastings de Hastings.*” He was the lord Hastings of Shakespeare in his Tragedy of Richard III., by whose command he was so harshly beheaded, (1483).

Edward Hastings, his son and heir, having married Mary, daughter and heir of Thomas, son and heir of Robert lord Hungerford, was summoned to parliament from the 22 Edw. IV. to the 12 Hen. VII., as “*Edwardo Hastings de Hungerford.*” He died in 1507, but does not appear to have had the title of Hastings after his father's death.

George, son and heir of Edward lord Hungerford, had summons from the 1 to the 21 Hen. VIII., as “*Georgio Hastynges de Hastynges,*” shortly after when, 8 December, 1529, he was created earl of Huntingdon ; from which period this barony of Hastings became merged in the earldom, and so continued till the death of Francis the tenth earl, in 1789, s.p., when the earldom devolved upon the next heir male ; and the barony of Hastings, with that of Hungerford, as also the baronies of Botreaux, Moline, the sole heirship of one moiety, and a coheirship of the other moiety of the barony of Moels, descended to Elizabeth, sister and heir to earl Francis ; which Elizabeth married John Rawdon, earl of Moira in Ireland, whose son and heir Francis, after the death of his mother, in 1808, claimed the barony of Hastings, which was allowed to him, and in 1816, he was created marquess of Hastings, a degree of honour which none of the Hastings family had ever before attained. His son, the present marquess, therefore possesses all the titles of his father.^a

^a Dugdale in his account of this family says, that the first lord William was advanced to the degree and dignity of a baron, thereby intimating that it was by patent, and not by writ of summons.—(*Bar. vol. i., p. 581.*) But in that respect was in error.

RICHARD HASTINGS.—(22 EDW. IV.)

RICHARD HASTINGS, brother to William lord Hastings, having married Joan, sister and heir of Robert lord Welles, was summoned to parliament the 22 Edw. IV., and 1 Ric. III., as "*Ricardus Hastings de Welles, Chivalier.*" He had an only son Anthony, who died s.p., and thus terminated this barony.—(*Vide Welles.*)

HAUSTED.—(6 EDW. III.)

JOHN DE HAUSTED in the 1 Edw. II. had a grant to himself and the heirs of his body, of the manor of Deshangre, and other lands in the county of Northampton. The 1 Edw. III. he was seneschal of Gascoigne, and the 6, 8, and 9 Edw. III. had summons to parliament, but never after, nor is any further mention made of him by Dugdale, either as to any wife or issue. He appears to have died shortly after his last writ of summons.*

* Orig. 10
Edw. III. Rot.
18.

John de Hausted died seised of Deshangre, 10 Edw. III.—*Escheat*, No. 43.=====

William, son and heir, æt. 30, et amp. ob. ante 20 Edw. III.
=====Amicia, dau. of
..... *Esch.* 2
..... *Hen.* IV.

John Hausted, to whom his father gave the manor of Adstock, in co. Bucks.—*Claus. Rot.* 8 Edw. III.

Elizabeth, daughter of John, and sister and heir to William.

HERBERT DE HERBERT.—(1 EDW. IV.)

WILLIAM HERBERT had the lordship of Ragland in the county of Monmouth, which he enjoyed from Maud his grandmother, daughter and heir of Sir John Morley, knight, the hereditary owner thereof. The 1 of Edw. IV., he had summons to parliament by writ directed to *Willielmo Herberd de Herberd*, and afterwards to the 6 of Edw. IV., as *Willielmo Domino Herbert Chiv.*, or as *Willielmo Herbert Chiv.* In 1468, he was created earl of Pembroke, but the year following, 1469, was beheaded by order of the duke of Clarence, and the earl of Warwick; who, having revolted against king Edward, had taken him prisoner in an engagement, where he having the command of the royal army, was utterly defeated by the insurgents. He was twice married, first, to Anne daughter of Sir Walter, and sister to Walter D'Evereux, baron Ferrers of Chartley, and by her had William his eldest son, and other children; his second wife was Maud, daughter and heir to Adam ap Howel Graunt, by whom he had Richard Herbert, of Ewyas, ancestor to the present earl of Pembroke, and Sir William Herbert, of Troye.

William Herbert, eldest son by the first wife, succeeded his father, but king Edward being desirous to have the earldom of Pembroke in his own hands, got him to make

resignation thereof, and in exchange created him earl of Huntingdon. He was first contracted (as it is said) by king Richard III. to marry his daughter Catherine Plantagenet, but dying in her early years, the marriage did not take place, and he wedded one of the five sisters and coheirs of Richard Widville, earl Rivers, by whom he had an only daughter and heir Elizabeth, who married Sir Charles Somerset, a natural son of Henry Beaufort, the last duke of Somerset of that surname. Not having any male issue, the earldom of Huntingdon became extinct upon his death; but the barony of Herbert devolved on his said daughter Elizabeth, whose husband Sir Charles Somerset was created by patent, 22 Hen. VII., baron Herbert of Ragland, Chepstow, and Gower, and afterwards in 1526, earl of Worcester. From him is descended the present duke of Beaufort, heir of the before named baronies, and other dignities.

HERON.—(44 EDW. III.)

WILLIAM, grandson of Jordan Hairun, or Heron, who lived in the time of king John, married Mary, daughter and heir of Odonel de Ford, of Ford castle, in the county of Northumberland, and had issue William his son and heir, who married Christiana, daughter and heir of Roger de Notton, and by her had three sons, viz.; Walter, who died vi. pat., leaving a daughter and heiress Emeline, who married John Lord Darcy; Roger, second son; and Odonel, third son.

William Heron, son and heir of Roger, had summons to parliament the 44 Edw. III., but not afterwards, and has no further mention made of him, or of any descendants from him.

HERON.—(17 RIC II.)

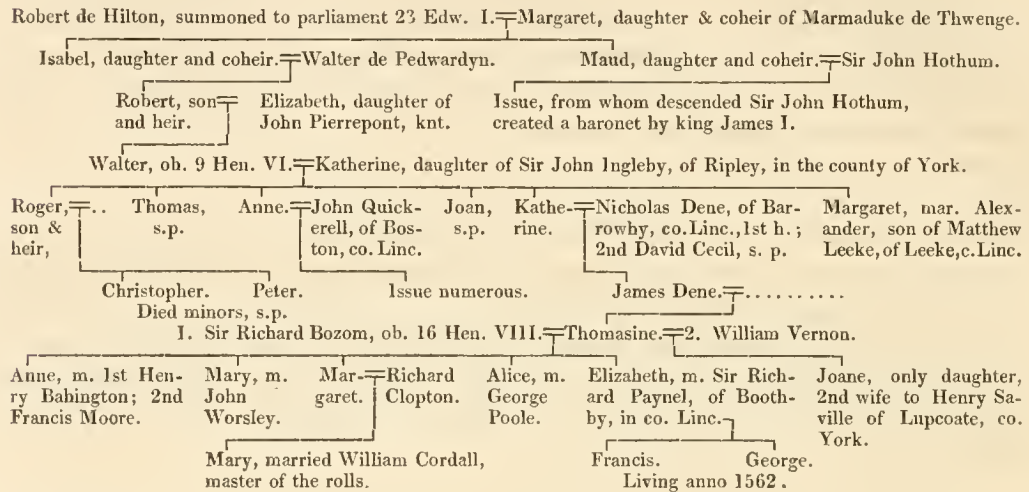
WILLIAM HERON, grandson of Odonel, before mentioned, had summons to parliament from the 17 Ric. II. to the 5 Hen. IV., as *Willielmo Heron Chiv'*; though it is certain that he was summoned *jure uxoris*, as lord Say: for in a charter dated 1 Hen. IV., to which he was a witness, he is styled *Willielmo Heron Dominus de Say, Seneschallus Hospitii Regis*. If any barony, distinct from that of *Say*, was created by his personal writ the 17 Ric. II., and confirmed by those subsequent, such barony terminated on his decease in 1404, s.p.

HILTON.—(23 EDW. I.)

ROBERT DE HILTON, of a very ancient family, whose chief seat was at Hilton Castle in the county of Durham, had summons to parliament the 23, 24, and 25 Edw. I., and in

* Dug. Lists
of Summons.

the 26th also a summons *equis et armis* to Carlisle; on which occasion he is denominated a *baron*; the earls and barons then summoned being all distinguished in the writ by their respective ranks.* He married Margaret, one of the three daughters, and eventually coheirs of Marmaduke de Thwenge, a great parliamentary baron, and had issue two daughters and coheirs, of which Isabel married Walter de Pedwardine; and Maud was wife of Sir John Hothum, knight.



ALEXANDER HILTON.—(6 Edw. III.)

ALEXANDER DE HILTON is presumed to be of the same family as Robert, but certainly not his son, as set forth in the printed laboured pedigree of the Hilton family. He had summons to parliament the 6, 7, 8, and 9 Edw. III., but never after, of whom further, or of his descendants, Dugdale does not take any notice. But in the parliament rolls the 1 Hen. IV.† among the nobles and great men then present, *Le baron de Hilton* is mentioned; yet in the writ of summons of that year, no such name is contained therein. In the said parliament rolls, in another part,‡ is recited *Mons'r William baron de Hilton*.

It is to be observed that the Hiltons from a long period back (tradition takes them to the time of king Athelstan) possessed Hilton castle, and were titular barons thereof, as holding it of the Palatinate of the bishoprick of Durham, so similarly styled as the barons of Chester were who held under the Palatinate of Hugh Lupus, earl of Chester.

This Alexander is said to have married Maud, daughter and coheir of Richard de Emeldon (widow of Richard Acton) and to have had a daughter Elizabeth who

† Vol. iii., p. 427.

‡ Vol. iii., p. 129, No. 12.

married Roger Widdrington, ancestor to the lords Widdrington, of whom, on the death of the last lord in 1774, s.p., his nephew Thomas Eyre of Hassop, son of his sister Mary, was his heir; but he dying s.p., the inheritance passed to the late Charles Townley, esq., in right of his grandmother Mary Widdrington, who was aunt of the last lord and of the said Mary Eyre; and by his death, unmarried, in 1807, his only sister Cecilia became his heir, who married, first, Charles Strickland, esq.; and secondly, his cousin Jarrard Strickland, esq.

In the printed pedigree of this family, which is very fully given in Hutchinson's History of Durham, it is to be remarked that this Alexander de Hilton is stated to have had summons to parliament in the year before mentioned, and to have died the 42 Edw. III. that he married Alianor, daughter of William, and sister and coheir of Sir William Felton, of Felton, in the county of Northumberland, knight, and had issue Robert, who died in his lifetime, leaving a son William æt. eleven, the 42 Edw. III., heir to his grandfather; which William had issue a son William, who died 26th May, 1435, 13 Hen. VI.: of these two Williams it is probable the father is the person alluded to in the rolls of parliament before cited.

In this pedigree not any notice is made of Robert Hilton, of Swine, who married Matilda, one of the daughters and coheiresses of Roger de Lascelles, of Escrick.* But the whole deduction is confined to the male line of the Hiltons from Alexander, living the 19 Hen. II., apparently for the purpose of showing the descent of Sir Wastel Brisco, bart., and Hylton Jollyffe, esq., (now Sir Hylton) from Alexander the baron, and exhibiting a colourable pretension for claim to that barony.

* Vide
Lascelles.

HOESE.—(22 Edw. I.)

MATTHEW, son of Henry Hoese, of Herting, in the county of Sussex, had issue Henry, who married Joan, daughter of Alard Fleming, niece to John Maunsel provost of Beverley,† who upon the death of the said Matthew, circ. 39 Hen. III., gave six hundred marks for the wardship of Henry his son and heir, with the custody of his lands, he being then in minority; which

† Dug. Bar.
vol. i., p. 623.

Henry was afterwards one of those in arms against the king, 49 Hen. III. He died the 18 Edw. I.,‡ being then seised of divers manors in the county of Kent, and of Herting, in the county of Sussex, leaving Henry his son and heir æt. twenty-four, who doing his homage the same year, had livery of his lands;§ which

‡ Esch. 18
Edw. I., No.
36.

§ Rot. Fin. 18
Edw. I., m. 5.

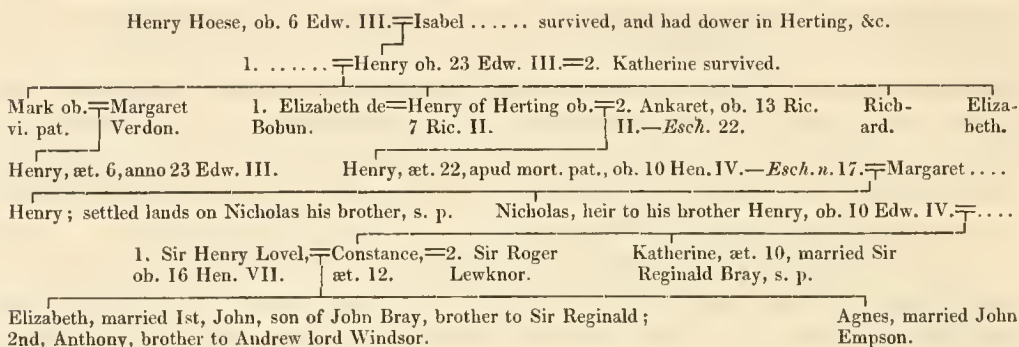
Henry Hoese the 22 Edw. I. had summons to parliament, though the place of meeting was not named in the writ, but which afterwards was assembled at Westminster,|| and from that time had summons to all the parliaments of that reign to the 6 Edw. III.,

|| Rot. Parl.

when he died, leaving Henry his son and heir, aged thirty, and Isabel his wife surviving, who had dowry in Herting, and in other manors in several counties; which

* Rot. Fin. 7 Ric. II., m. 27.

Henry had summons to parliament from the 11 to the 23 Edw. III., about which time he died, leaving Henry his grandson (son of Matthew his eldest son, who died vi. pat.) his next heir, then six years of age, and Catherine his second wife surviving; which Henry, the 7 Ric. II., doing his homage, had livery of his lands;* but was never summoned to parliament; and by reason thereof, Dugdale closes all further account of this line of the Hoes, or Huse, or Hussey family.



HOESE, OR HUSE, OF BEECHWORTH.—(22 EDW. III.)

† *Esch.* 6 Edw. III., No. 43.

‡ *Esch.* 35 Edw. III., No. 99.

ROGER, son of John Hoes, or Huse, of the same family, as supposed by Dugdale, with the one before mentioned, was of Beechworth, in the county of Surrey, which with other considerable lands, he acquired as cousin and heir of John de Berewyk, who died temp. Edw. II.† In the 22 and 23 Edw. III. he had summons to parliament, but never after, nor any of his descendants. He died 35 Edw. III., leaving by Margery his wife, widow of Herbert St. Quintin,‡ John his son and heir, æt. forty, of whom no further mention is made by Sir William Dugdale. This

John Hoes appears to have been married, as in *Esch.* 44 Edw. III., No. 33, notice is made of John Husee and Isabel his wife, as to the manor of Burton Sacy; and in *Originalia*, 48 Edw. III., No. 34, is recited John, son of John Husee, Burton Sacy, in the county of Southampton.

Collins, in his peerage account of the earl of Portsmouth's family, states that John Husee left a daughter Alice, who married Richard Wallop, ancestor thereof; but Vincent asserts she is called daughter of Roger; yet whether daughter of Roger or of John, would still vest whatever right of barony there might be in the descending heir or heirs

from Richard Wallop. In Hutchins's History of the County of Dorset* may be found * Vol. i. p. 152 many records cited, which are variant to each other.

HOLLAND.—(8 EDW. II.)

ROBERT DE HOLLAND, or HOLAND, from the humble origin of a poor knight, and secretary to Thomas Plantagenet, earl of Lancaster, became of such importance as to be summoned to parliament among the nobles of the realm from the 8 to the 14 Edw. II.; but in the year following, on the insurrection of the said earl of Lancaster, made more against the Gavestones than the king, he failed the noble earl (his benefactor) in his promises of assistance, whereby he incurred the hatred of the people; and being taken afterwards in a wood near Henley park, he was without trial beheaded. He married Maud, one of the daughters and coheirs of Alan baron Zouche, of Ashby, and by her had four sons, viz., Robert, his successor; Thomas, who became earl of Kent; Alan and Otho, who died s.p.

Robert Holland, the eldest son, had summons the 16, and afterwards from the 37 to the 46 Edw. III., and died the year following, 1373, leaving Maud his granddaughter and heir, viz.; daughter of Robert Holland his eldest son, who died vi. pat.; which Maud married Sir John Lovel, and carried the barony of Holland into that family, wherein it so remained till the attainder of Francis viscount Lovel, when the same, with all his other honours became forfeited to the crown; which otherwise would have fallen into abeyance between his sisters, of whom Joane, or Jane, married Sir Bryan Stapleton; and Fridiswide, Sir Edward Norris, knight.† The first now represented by the lately † Vide Lovel. acknowledged lord Beaumont; and the other by the present earl of Abingdon.

HOLLAND.—(27 EDW. III.)

THOMAS HOLLAND, second son of Robert the first baron Holland, before mentioned, had summons to parliament from the 27 to the 31 Edw. III. inclusive. Having married Joane, heiress to her father Edmund, and her brothers Edmund and John, earls of Kent, he in her right assumed that title, and was thereby summoned to parliament the 34 Edw. III., but to no other subsequent parliaments, as deceasing the same year.

Thomas, his eldest son, became his successor, and the 9 Rich. II., his mother Joane being then dead, he had a special livery of the lands of her inheritance. He was half brother by his mother to king Richard II., and by that title, viz., *Carissimo Fratri Regis Thomæ Com' Kanc.*, had summons to parliament the 6 Ric. II., and to other subsequent

parliaments of the same reign. He died the 20 Ric. II. His wife was Alice, daughter of Richard, earl of Arundel, by which lady he had two sons, Thomas and Edmond, successively earls of Kent; and two other sons, John and Richard, who both died s.p.; also six daughters, whereof Eleanor married, first, Roger Mortimer, earl of March, secondly, Edward Cherleton de Powys; Margaret married, first, John Beaufort, marquess of Dorset, and next, Thomas, duke of Clarence; Joane was wife, first, of Edward, duke of York, secondly, of William lord Willoughby, thirdly, of Henry lord Scroope, and fourthly, of Sir Henry de Bromflete; another Eleanor wedded Thomas, earl of Salisbury; Elizabeth married Sir John Neville knight; and Bridget was a nun at Berking.

Thomas Holland, the eldest son, was upon the death of his father summoned to parliament the 21 Ric. II., as earl of Kent; but having been created duke of Surrey, he was in the next parliament of the same year summoned, viz: "*Charissimo Consanguineo suo Thomæ Duci Surr.*" But this honour was of short duration; for Henry, duke of Lancaster having seised the crown, he, with the earl of Salisbury and other nobles, took arms to restore king Richard, in which attempt he and the confederate lords were suddenly surprised and overpowered at Cirencester, and were seised and beheaded by the townsmen; and in the parliament holden the next year he was attainted and his lands forfeited. Not having any issue his dukedom of Surrey became extinct.

Edward Holland, his brother and heir, who was then in minority, had afterwards great favour shown him, and had a special livery of divers castles, manors, &c., which devolved upon him under some old entail theretofore made by his ancestors; and furthermore had summons to parliament as earl of Kent the 7 Hen. IV., as also in the following year: but shortly after then, circ. 9 or 10 Hen. IV., died without leaving any legitimate issue, whereby the earldom of Kent became extinct; and the barony of Holland, if not affected by the attainder of the duke of Surrey, fell into abeyance between his six sisters, or their representatives, whose marriages have been before mentioned.

HOTHUM OR HOTHAM.—(8 EDW. I.)

John, the son of Peter de Hothum, brother to John, bishop of Ely, who was also twice Lord Chancellor, had summons to a parliament convened to meet at York, the 8 Edw. II., but in that writ it is observed that the names of the justices, and others of the king's council were intermixed with the earls and barons, and in a writ of the same year for a parliament to meet at Westminster; * his name is then recited among the justices and others of the king's council, so also in the 9 and 11 Edw. II., but after, his name is not included in any other writs of summons.

* Dugd. Lists
of Summ.

From this statement there is not anything to warrant his being considered to have been a baron by virtue of the aforesaid writs of summons. He had issue a son John, who had two daughters, viz., Alice and Catherine; whereof, the former is said to have married, first Hugh Despenser, and to have had a son Hugh who died s.p., and a daughter Anne who married Edward Boteler, who died s. p., 10 Hen. IV. Her second husband was John Trussel, by whom she had a son Sir John Trussel, knight, who died s. p. Thus, by failure of issue surviving from John so summoned, the 8 Edw. II., Edmund Skerne, descended from Peter next brother to the same John, was upon claim to certain lands in the county of Warwick, the 38 Hen. VI., found to be heir to John Hothum bishop of Ely, and chancellor of England.

There was a John Hothum who married Maud, one of the daughters and coheirs of Robert de Hilton,* who, by the printed baronetages of the Hothum family is represented to have descended from Thomas Hothum, another brother of the said John, and nephew to the bishop of Ely; which Thomas must have been a younger brother, or the issue from Peter could not have made good the claim preferred as heir to the bishop. * Vide Hilton.

HOWARD.—(49 HEN. VI., AND 9 AND 10 EDW. IV.)

THE rise of this distinguished family, now holding the highest rank among the nobility of the kingdom, and embracing in its name as members of it, so many titles in the peerage of the realm, owes its first origin to the fortuitous circumstance of an illustrious marriage made by Sir Robert Howard with Margaret, eldest daughter (as called by Collins) and coheir^a of Thomas de Mowbray, duke of Norfolk, by Elizabeth his wife, daughter and coheir of Richard Fitz Alan, earl of Arundel, and cousin and coheir of John, the last Mowbray duke of Norfolk.

Sir John Howard, only son and heir of Sir Robert, by this fortunate alliance, was first raised to the dignity of a baron, by writ of summons to parliament, the 49 Hen. VI., (or rather the 9 and 10 Edw. IV.,) addressed, "*Johanni Howard de Howard, Militi*," and from thence to the 22 Edw. IV.; after when, in 1483, he was created duke of Norfolk, by king Richard III., to whom, much to his honour, he steadfastly adhered, and with him was slain at the battle of Bosworth. The barony of Howard, by the subsequent advancement to a higher dignity, became merged in the dukedom of Norfolk, and so continued, though with divers alternate forfeitures, and restorations, till the death of Edward the 11th duke, in 1777, s.p., when it, with other baronies, fell into abeyance between the two daughters and coheirs of his brother lord Philip Howard; of which, the

^a Isabel the other daughter and coheir married the lord Berkeley.—(Vide Berkeley.)

eldest married the lord Stourton, and the youngest the lord Petre; whose representatives, the present barons Stourton, and Petre, are the coheirs in the said abeyance.*

* Vide Mowbray.

It may be observed that the origin of the family of Howard is of itself involved in great ambiguity of descent, notwithstanding the illustrious lineage attributed to it by Collins, and various other genealogical writers, and the ingenuity of flattering heralds. Sir William Dugdale with much candour assumes only to deduce it from Sir William Howard, a judge in the court of the Common Pleas, temp. Edw. I., and he confesses his inability to go further back; but by a MS. in the possession of the author, under the attestation of Sir William, that learned baronagian regrets he had not seen the record from whence it is copied, before he had published his celebrated work. He says, that from the evidences therein cited, he is perfectly well satisfied that the pristine name was *Haward*, and the judge descended of the family of that name in Lancashire: indeed, on referring to the writs of summons† by which William the judge was in that capacity called to parliament, the name is written *Haward*, and not *Howard*. In the 21 of Edw. I., by the name of William *Haward*, he was one of the justices of assize‡ for the counties of Lancaster, Nottingham, and Derby: but, in the 25 Edw. I., being made one of the justices of the King's Bench, his name is thus noted,§ viz: *Will' Howard admissus & sacramentum prestitit*, 11 Oct.; and by the name of *Howard* had his summons to parliament in that year; yet in all the subsequent years he is called *Haward*.

† Dug. Lists of Summ.

‡ Dug. Origines, p. 31.

§ Ibid, p. 32.

From this it would seem that *Haward* and *Howard* were synonymously used as applying to the same person; but it nevertheless divests the Howard family of its far-famed genealogical descent from the Norman earls of Passy, and leaves Sir John Howard to be the founder of his own nobility, far later than many others of inferior rank in point of dignity; with reference to whom he might say, as Ajax retorted to Ulysses:

“ Nam genus, et proavos, et quæ non fecimus ipsi,

“ Vix ea nostra voco.”

HOWARD DE WALDEN.—(39 ELIZ.)

THIS title, now extinct in the Howard name, first commenced in the person of Thomas Howard, eldest son of Thomas fourth duke of Norfolk, by his second wife Margaret, daughter and heiress of Thomas lord Audley, of Walden, who had been so created in 1538, with remainder to his issue male; for want, whereof, the title upon his decease in 1544 became extinct: which

Thomas Howard had summons to parliament the 39 Eliz., the writ being addressed to him, viz: “*Thomæ Howard de Walden Chevalier*.” the like summons he also had the

43 Eliz.; but after then he was advanced to the title of earl of Suffolk, the 1 James I., and by that title had summons to parliament the same year, though it is not mentioned in the Lords Journals when he took his seat either as lord Howard de Walden, or as earl of Suffolk. He died in 1626, and was succeeded by his eldest son,

Theophilus Howard, second baron, and earl of Suffolk, who in his father's lifetime had been called by writ to parliament, by the description of "*Theophilus Howard de Walden Chiv' primogenito Tho' Comitiss Suff'*;" but it does not appear that he took his seat at this time, the journals* first noticing his name viz: "Theophilus lord Howard of Walden introduced, being summoned by writ, 9 Feb., 1609." By Dugdale's Lists he is stated to have been again summoned the 7, 8, 12, 18, 19, and 21 Jac. I., and 1 Car. I.; after when he became earl of Suffolk. He died in 1640, having had issue by Elizabeth his wife, daughter and coheir of George lord Hume, of Berwick, (earl of Dunbar in Scotland) several sons; whereof James the eldest succeeded his father; which

* Journ.
Dom. Proc.

James, third lord Howard, and earl of Suffolk, by Susan his first wife, daughter of Henry Rich, earl of Holland, had an only daughter Essex Howard, who married Edward lord Griffin; and by Barbara his second wife, daughter of Sir Edward Villiers, had also an only daughter Elizabeth, who married Sir Thomas Felton, of Playford, in the county of Suffolk. Dying in 1688, without issue male, the earldom of Suffolk devolved upon his brother George Howard, and the barony of Walden fell into abeyance between his two daughters before mentioned; and so remained till upon the claim of Sir John Griffin Whitwell, who had taken the name of Griffin, descended from lady Essex Howard, the eldest coheir before mentioned, the abeyance was determined by the king, in his favour, and he accordingly had summons to parliament as lord Howard of Walden, and took his seat in the House of Lords the 9th of August 1784.†^a Deceasing in 1797, without issue, and all the issue of lady Essex Howard being extinct; the barony then devolved upon the heir representative of the lady Elizabeth Howard, who married Sir Thomas Felton, viz: Charles Augustus Ellis, son and heir of Elizabeth Catherine Caroline, wife of Charles Rose Ellis, esq., daughter and heir of John Augustus Hervey, who died in the lifetime of his father Frederick, fourth earl of Bristol; son of John lord Hervey, who died in the lifetime of his father John Hervey, first earl of Bristol, who married Elizabeth, sole daughter and heir of Sir Thomas Felton, by Elizabeth his wife, second daughter and coheir of James third baron Howard, of Walden, and earl of Suffolk.

† Ibid.

^a There seems some doubt as to the creation of this barony by writ in the person of lord Thomas Howard, the 39 Q. Eliz. The Lords Journals do not shew that he ever took his seat as lord Howard de Walden, the first mention therein of such a title being that of Theophilus his son, after his father had been created earl of Suffolk; from which circumstance it may be inferred, that the barony was incorporated in the patent of the earldom of Suffolk, limited to issue male.—*Vide some interesting remarks respecting this subject in the Sydney papers, vol. ii; and in a note in Banks's Dormant and Extinct Baronage, vol. ii., p. 278.*

HOWARD OF WALDEN.

1. Mary, second of the three sisters and coheirs to Thomas lord Dacre of Gillingham, s. p.			Thomas Howard, summoned to parliament 39 Elizabeth, created Earl of Suffolk the 1 James I., ob. 1626.			2. Elizabeth, daughter and coheir of Sir Henry Knevet, of Charlton, knight.		
Theophilus, 2d baron & earl of Suffolk, ob. 1640.			Elizabeth, d. & c. of Geo. lord Hume of Berwick.			Other issue.		
1. Susan, daughter of Henry Richard, Earl of Holland.			James, third baron and Earl, ob. 1688.			2. Elizabeth, daughter of Sir Edward Villiers.		
Essex, only d. & eldest coh.			Edward lord Griffin, ob. 1710.			Elizabeth, youngest d. & coh.		
James lord Griffin, s. & h.			Anne, d. & h. of Ric. Rainsford.			Elizabeth, sole d. & h.		
Edward, 3rd lord Griffin, ob. 1742.			Mary, dau. of Anthony Well-den, of Well, in com. Linc.			James, s. p. Richard, s. p.		
Anne, Grif-fin.			William Whit-well, of Oundle, co. Northampton, Esq.			Elizabeth, mar. 1st Henry Nevil, s. p., 2nd John, earl of Portsmouth, s. p.		
John lord Hervey, obit vitâ patris.			Essex, only child, unmar. 1738.			Matthew, thrice mar. ob. s. p., 1798. William, drowned in 1731. George, died unmar. died 1750.		
Sir John Griffin Whitwell, took the name of Griffin by act of Parl., anno 1749, sum. as Lord Howard de Walden, 3 August, 1784, died 5 May, 1797, s. p.			Elizabeth, ob. unmar. 1776. Anne, mar. Count Welderen, Dutch Envoy, obit 1796, s. p. s., having had a son & dau. who both ob. infants. Sophia, died an infant.			Mary, m. Wm. Parker, D. D., Rector of St. James', ob. 1799, s. p. Sophia, twin with Mary born 20 July, 1728, died June 1729.		
Geo. Will., 2nd earl, ob. 1775, s. p.			Augustus John, 3rd earl, ob. 1779, s. p.			Frederick, 4th earl, ob. 1803.		
John Augustus lord Herver, ob. vi. pat., 1796.			William Frederick, fifth earl, and heir male in succession to the earldom of Bristol.			Elizabeth Catherine Caroline, daur. and heir, ob. at Nice, 21 Jan., 1803, æt. 23; bur. at Esher, co. Surr.		
Charles Augustus Ellis, a minor at the time of claim, which was allowed in 1807.			Charles Rose Ellis, esq., mar. 1798.					

HUNGERFORD.—(14 HEN. VI.)

WALTER HUNGERFORD, of a very eminent family and ancient descent, was first summoned to parliament the 14 Hen. VI., and from thence to the 27 of the same reign; about which time he died. By Catherine his first wife, who was one of the daughters and coheirs (with Alianor her sister, wife of William Talbot,) of Thomas Peverell, by Margaret his wife, daughter of Thomas Courteney, by Muriel his wife, one of the daughters and coheirs of John lord Moels,* he had issue three sons, viz.: Walter who died vi. pat., s. p.; Robert his successor, and Edmund who married Margaret, daughter and coheir of Edward, son and heir apparent of Hugh lord Burnell,† but died vi. pat., and by her was ancestor to the Hungerfords of Down Ampney, in the county of Wilts.

* Vide Moels.

† Vide Burnell

Robert, eldest surviving son of Walter, was the second baron Hungerford. In the 17 Hen. VI., upon the death of Alianor Talbot, his mother's sister, he was found to be her heir, and thereupon had livery of her inheritance; acquiring by her death s. p., one

moiety, and a coheirship in the barony of Moels. He had summons to parliament from the 29 to the 33 Hen. VI., and deceased the 37, (1459,) leaving by Margaret his wife, sole daughter and heir of William lord Botreaux,* Robert his son and heir, which

* Vide
Botreaux.

Robert, third lord Hungerford, having married Alianor, daughter and heir of William lord Molines,† had in his father's lifetime, summons to parliament from the 23 to the 31 Hen. VI., as "*Roberto Hungerford, Militi Domino de Moleyns*;" but he does not appear to have been ever summoned after his father's death as lord Hungerford. Being on the part of king Henry, at the battle of Towton, he was attainted in the parliament of the 1 Edw. IV.: after this, still adhering to the Lancastrian side, he was taken prisoner on their defeat at the battle of Hexham, and being conveyed to Newcastle, was beheaded, (1463). By the said Alianor Molines, his wife, he had issue three sons, Thomas, Walter, and Leonard: of these,

† Vide Moline.

Thomas Hungerford, his son and heir, for a time supported king Edward; but afterwards endeavouring the restoration of king Henry, he was seised, tried at Salisbury, condemned as a traitor, and beheaded. His wife was Anne, daughter of Henry earl of Northumberland, by whom he had a sole daughter and heir, Mary, who married Edward, son and heir apparent of William, then lord Hastings: which Edward, notwithstanding the attainders of his wife's father and grandfather were not reversed, obtained so much favour from king Edward, that he was summoned to parliament the 22 Edw. IV., as "*Edwardo Hastings de Hungerford, Chiv.*;" and again by the same description the 1 Ric. III.; but in the 1 Hen. VII., those attainders were reversed, and he continued to be summoned by the same style. His son George was created earl of Huntingdon; when the baronies of Hungerford, Molines, and Botreaux became merged therein, as under Hastings has been before noticed,‡ and are now vested in the present marquess of Hastings.

‡ Vide
Hastings.

HUNGERFORD OF HAYTESBURY.—(28 HEN. VIII.)

WALTER HUNGERFORD, son of Sir Edward, and grandson of Walter, next brother to Thomas, beheaded at Salisbury, and heir male of Walter the first lord Hungerford, was summoned to parliament the 28 Hen. VIII., as "*Walter Hungerford de Haytesbury Chiv.*," and took his seat the 8th of June, the same year; but in the 31 Hen. VIII., he was attainted in parliament, and the following year suffered death on Tower Hill. The crimes laid to his charge seem to have been of a trifling nature, rather preferred to get possession of his great estate, than for the seriousness of their offence; unless that of the practice of an unnatural crime be considered, of which he was accused, and which led to the

judgment given against him: thus his barony became forfeited.^a By Susanna Danvers, his first wife, he had issue Walter his son, hereafter mentioned, and three daughters, whereof Susan married first, Michael Ernly, whose heir or coheir general was the late Mrs. Earle Drax Grosvenor; secondly, John Moring; and thirdly, Sir Crew Reynolds; Lucy the second daughter, married first, Sir John St. John, and secondly, Sir Anthony Hungerford, of Black Bourton, in the county of Oxford, second son of Sir Anthony Hungerford, of Down Ampney; and Jane the third daughter, married Sir John Kerne, knt. The said lord Hungerford, by Alicia Sandys his second wife, had issue Sir Edward Hungerford, who was twice married, but died in 1608, s.p.; also two daughters, viz.: Mary, who married first, Thomas Baker, and secondly, Thomas Shaa; Anne, the other daughter, died unmarried. He is said by Leland* to have had a third wife, Elizabeth, daughter of John lord Hussey: but Sir Richard Colt Hoare, in his *Hungerfordiana*,† names her Isabel, and does not give any issue from her.

* Vol. ii., pp. 59-60.
† P. 11 et sequens.

Walter, only son and heir of the attainted lord, was restored, not in queen Mary's reign, but in the 34 and 35 Hen. VIII.:‡ the act, however, is a mere restoration in blood, specially excepting the title, and the castles, manors, &c., of this great inheritance: as such, without a reversal of the attainder, no baronial claim can be maintained by his descendant heirs general. This Walter was first married to Anne Basset, but had not any issue by her; his second wife was Anne Dormer, by whom he had a son Edmond, who died s.p.: whereby, upon his own death, his sisters, or their representatives became his coheirs.

‡ Rot. 32.

HUNTERCOMBE.—(45 HEN. III., AND 23 EDW. I.)

WILLIAM DE HUNTERCOMBE, married Isabel, one of the daughters and coheirs of Robert de Muschamp,§ called by Matthew Paris, a man of great note in the North, where he held in *capite per baroniam*, and was summoned as a baron to the parliament called to meet in London by writ, the 45 Hen. III.||

§ Vid. Banks's Dorm. & Ext. Baron., v. i., p. 146.
|| Claus. Rot. m. 3, in Dorso.

Walter de Huntercombe, his son and heir, had summons to parliament from the 23 Edw. I. to the 4 Edw. II.^b In the parliament at Lincoln the 29 Edw. I., he is mentioned by the name of *Walterus de Huntercombe*, as one of those barons who subscribed their

^a The parliament was assembled 28 April, 31 Hen VIII, and afterwards by prorogation continued to the 20 April, 32 Hen. VIII, and after by other prorogations to the 24 July, when the attainder was made. (*Rot. Parl. in the Rolls Chapel*.) The great Cromwell, earl of Essex, was tried at the same time, found guilty and beheaded; but it is remarked that he was not allowed to make any defence, and the legality of the conviction of these two peers is very much questioned.

^b Although there is not any writ of summons upon record, yet it appears from the Rolls of Parliament that he was present therein, the 18 Edw. I., when an aid was granted for the marriage of the king's eldest daughter.

names, and affixed their seals to the memorable letter then written to the pope. He died circ. 6 Edw. II., when his barony under his writs of summons became extinct, and Nicholas Newbaud, son of Gunnora his sister, by Richard de Newbaud, became his nephew and heir. Yet, it would seem there was as good a right derivable from the writ of the 45 Hen. III. to his nephew, as any pretended to be claimed by the descendants of those who were summoned to the parliament called by the rebel barons the 49 Hen. III.

This Walter married Alice, one of the daughters and coheirs of Hugh de Bolebee, a great feudal baron in the county of Northumberland; but not having any issue by her it appears that the king took the homage of Thomas de Lancaster, cousin and next heir of Alice, who was the wife of Walter de Huntercombe, deceased, as to those lands which the said Walter, by the law of England, held of the inheritance of his wife, in the county of Northumberland.*

* Orig. 7 Ed.
II., Rot. 6.,
Northumb.

HUNTINGFIELD.—(45 HEN. III. AND 22 EDW. I.)

WILLIAM DE HUNTINGFIELD, in the time of king John, was one of the twenty-five barons appointed to enforce the observance of Magna Charta, which shows the eminent degree of rank and importance in which he then was esteemed.^a

Roger de Huntingfield, his son and heir, died the 41 Hen. III.,[†] leaving Joane, his wife, one of the daughters and coheirs of William de Hobrugg, and William his son and heir surviving, which † Esch. Rot. 29

William de Huntingfield was one of those who as a baron had summons to that parliament which the king called to meet in London the 45 Hen. III.[‡] He died the 11 Edw. I., and was succeeded by his son ‡ Claus. m. 3,
in Dorso.

Roger de Huntingfield, who had summons to parliament the 22 and 25 Edw. I. Though not summoned to the parliament at Lincoln the 29 Edw. I.,[§] he was one of those nobles who had his seal appended to the famous letter then written to the pope, on which occasion he is designated *Rogerus de Huntingfelde Dominus de Bradenham*. He § Dugd. Lists
of Summ.

^a Sir Harris Nicolas, in his Peerage Synopsis, makes a note that Dugdale did not consider this family to obtain baronial rank until the summons of the 25 Edw. I.: but, from the circumstance of having been one of the twenty-five barons appointed to enforce the observance of Magna Charta, it was pretty evident it should be considered as possessed of that dignity. Taking this observation to be correct, it follows that the descendants of the said William were to be similarly considered, and that their baronial rank was founded on tenure, but was not acquired by creation by writ; their right of summons to parliament being incident to their tenure, as confirmed by Magna Charta. Any summons, however, which might be directed to them after the alienation, or divisional dismemberment of their baronial lands, would be creative of a personal descendable barony.

* Esch. 31 died circ. 30 Edw. I., leaving Joice,* daughter of John de Engaine, and William his son and heir, which

William de Huntingfield does not appear to have ever been summoned to parliament. He died the 7 Edw. II.,† leaving Roger his son and heir, then in minority, and Sybilla his wife surviving, who remarried William le Latimer.

Roger de Huntingfield never had summons to parliament, and deceased the 11 Edw. III., leaving issue, according to Dugdale, by Cecilie his wife, daughter of Sir Walter de Norwich, knight,

William de Huntingfield his son and heir, then under eight years of age, who, the 25 Edw. III., making proof of his majority, had livery of the lands of his inheritance, and had summons to parliament from the 25 Edw. III. to the 49, inclusive, and died the year following, leaving, says Dugdale, Alice the widow of Sir John Norwich, his kinswoman and next heir; but Morant, in his History of Essex, asserts‡ that he left two daughters his coheirs, viz.: Alice, wife of Sir John Norwich; and Mariona, who married first, John de Huntingfield, and secondly, Stephen le Scrope.

On considering these two contradictory statements, that of Morant inclines most to be correct; with the exception only, that it was the William summoned to parliament from the 25 to the 34 Edw. III., who left these daughters, and not William whose name appears from the 44 to the 49 Edw. III., and who is rather indicated, from the inspection of the succession of the writs of summons, to have been son and heir of John de Huntingfield, by Mariona before mentioned; for thus Dugdale recites the several writs,§ viz.: William de Huntingfield, from the 25 to the 34 Edw. III.; John de Huntingfield, from the 36 to the 43 Edw. III.; William de Huntingfield, from the 44 to the 49 Edw. III.

In Blomfield's Norfolk, continued by the Rev. Charles Parkin,|| he states that William, son and heir of Roger, son of William de Huntingfield, died the 7 Edw. II., and in the 13 of that king, Walter de Norwich, a baron of the exchequer owed £18 for the farm of the custody of the third part of the manor of Huntingfield in Suffolk, late William Huntingfield's, which Sibilla his widow held in dower, after whose death it was in the king's hands by the minority of Roger his son and heir.

In the 3 Edw. III., Roger de Huntingfield and Alianor his wife were found to hold of queen Isabel, as of the honour of Eye, half a fee in Barton, and Roger was their son and heir as appears by the Escheat Rolls; and the 17 of that king, Richard de Keleshull, who had married the said Alianor, conveyed by fine to Thomas de Sywardeby and Elizabeth his wife, the moiety of divers lands, to be enjoyed after the death of Alianor, widow of Roger de Huntingfield, by Richard de Keleshull for life, remainder to Thomas and Elizabeth Sywardeby and their heirs; the said Elizabeth being probably sister and heir to Roger.

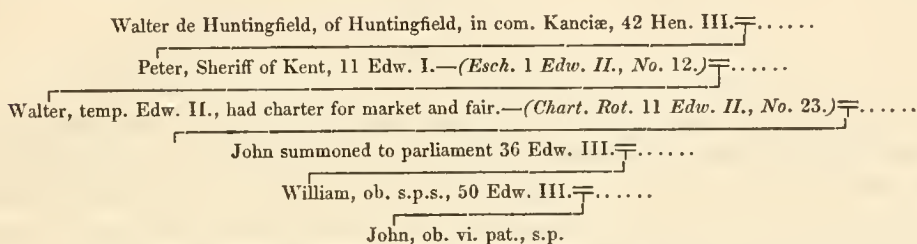
§ Dugd. Lists of Summons.

|| Vol. xi. p. 18

JOHN DE HUNTINGFIELD.—(36 EDW. III.)

JOHN DE HUNTINGFIELD had summons to parliament from the 36 to the 43 EDW. III., but who he was, how descended or connected with the branch before noticed, Dugdale does not notice, nor give any account of him; nor does Sir Harris Nicolas in his Peerage Synopsis attempt to explain.

The following pedigree may in some respect show his descent, though it does not the connection with the other family.



Alice wife of Norwich, and Joan wife of Copledicke, cousins and heirs.—(Vide Philpot's Kent, p. 362.)

Thomas son and heir of John de Huntingfield.—(Esch. 45 Edw. III., No. 30.)

HUSSEY OF SLEFORD.—(21 HEN. VIII.)

JOHN, son of Sir William Hussey, chief-justice of the King's Bench, temp. Hen. VII., first entered the parliament chamber as a baron the 21 Hen. VIII.: his name does not appear in the writs of summons of that year, from which it may be inferred that it was not till after the session had commenced that he was called thereto. In the next parliament, convened the 25 Hen. VIII., his name is written in the writs, *Johanni Hussey (de Sleaford) Chivalier*; so also in the 28 Hen. VIII. But shortly after engaging in that insurrection on account of religion which then broke out, he was attainted of high treason, his manor of Sleaford, with other lands to the value of five thousand pounds per annum confiscated, and he himself beheaded at Lincoln anno 1537: thus his barony became forfeited. His children were however afterwards restored in parliament the 5 queen Elizabeth; but neither his estates nor the title were granted to his heirs. He was twice married; first, to Margaret, daughter and heir of Simon Blount, of Mangotsfield, and relict of Sir John Barrs, of Barrs Court, in the county of Gloucester, by whom he had Sir William Hussey, of Beauvale, who by Ursula his wife, daughter and coheir of Sir Robert Lovell, left issue (at his death 19th January, 1555-6) two daughters his coheirs, viz: Nella, æt. forty-one, who married Richard Disney, of Norton Disney, in the county

* Harl. MS.n.
756., pp.465-6

of Lincoln; and Anne, æt. forty, who married Francis Columbell, of Darley, in the county of Derby.* The second wife of lord Hussey was Anne, daughter of George, earl of Kent, by which lady he had Sir Giles Hussey, of Caythorpe, in the county of Lincoln, and other issue. Dugdale in his Baronage makes this lady his first wife, but in this he was evidently wrong, as lord Hussey's grandchildren, through Margaret Blount, were older than his eldest daughter by lady Anne Grey. The heirs representative of Disney and Columbell would be coheirs to the barony were it not for the attainder. Sir William Hilary is presumed the heir of the Disney line.

INGE.—(8 EDW. II.)

† Dugd. Lists
of Summ.

WILLIAM INGE was appointed king's sergeant the 21 Edw. I., and the 8 Edw. II. had summons to parliament; but in that year, the justices and others of the king's council were intermixed in the same writ with the earls and barons,† so that it cannot be considered that he was thereby ennobled with a barony descendable to his issue. He was afterwards summoned only as other of the king's council and justices were.

‡ Chronica
Juria.

In the 9 Edw. II. he was made a justice of the Common Pleas, and in the 11 Edw. II. chief-justice of the King's Bench,‡ but never was again summoned among the barons of the realm.

§ Esch. 15
Edw.II. n.42.

He married Margery, one of the daughters and coheirs of Henry Grapenell, and died circ. 1321,§ leaving female issue, of which Joan, a daughter, married Eudo, son and heir apparent to William lord Zouche, of Haryngsworth, who died in the lifetime of his father.

INGHAM.—(2 EDW. III.)

|| Harl. MSS.
n. 807, (54)
fol. 64.
¶ Baron. vol.
ii., p. 104.

JOHN DE INGHAM, of Ingham, in the county of Norfolk, married Albreda, one of the daughters and coheirs of Walter (or William||) Waleran, a great feudal baron, and was according to Dugdale,¶ grandfather of

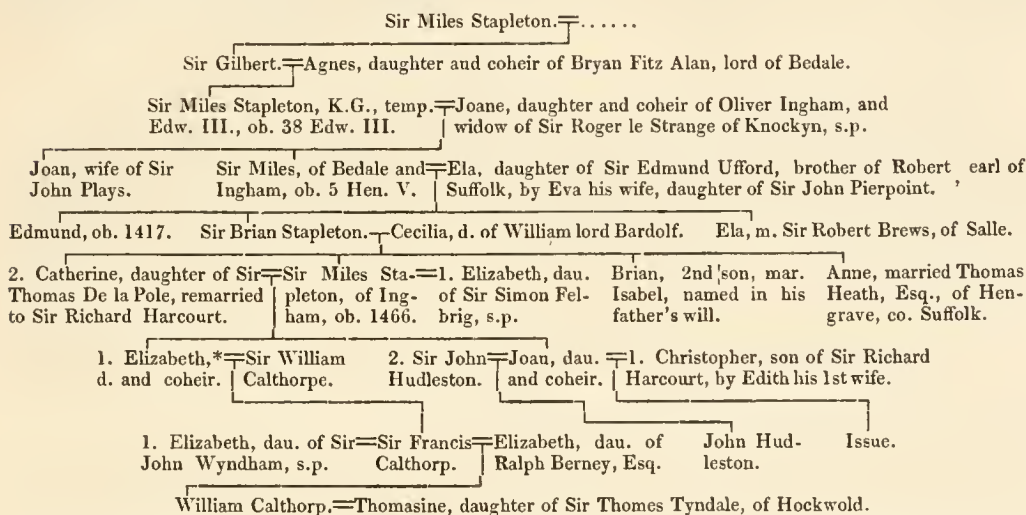
** Dug. Lists
of Summ.

John de Ingham, who, the 26 Edw. I., had summons to Carlisle, *equis et armis*, being in the writ styled a baron, the earls and barons being therein distinguished by their respective ranks.** He died the 2 Edw. II., leaving Margery his wife surviving, and Oliver his son and heir æt. twenty-three, which

Oliver de Ingham became a person of great note, and in the 2 Edw. III. had summons to parliament; also in the 4th to another parliament at Winchester, and the same year to a great council to be holden at Oseney, as likewise to one to be holden at Nottingham.

In the 16 Edw. III. he was again summoned with the earls and barons to a great council to be holden at Westminster, shortly after which he died, circ. 18 Edw. III.,* never having been again summoned, leaving Joane, the wife of Roger le Strange, of Knockyn, his youngest daughter, then living, æt. twenty-six; and Mary, the daughter of John Curzon, (by Elizabeth his eldest daughter, deceased) then nine years of age, his next heir;^a which Joane afterwards became the wife of Milo de Stapleton. Elizabeth, the wife of the said Oliver de Ingham, still surviving, had dowry in certain lands in the counties of Norfolk, Sussex, and Wilts.

* Orig. 18
Edw. III., Rot.
2.



* On the death of Sir William Calthorpe, she is said to have remarried Sir John Fortescue, chief-justice of the Court of King's Bench, who with her resided at Ingham. On his death, she was again married to Sir Edward Howard, Lord High Admiral.

The following inscriptions, on several gravestones in the chancel of the church at Ingham, support the accuracy of the Stapleton pedigree.

Under an arch on the north side lie the effigies of Sir Oliver Ingham in complete armour, also twenty-four mourners about his monument and the sides of it:

"Mounsier Oliver de Ingham gist icy, et Dame Elizabeth sa compagne que luy Dieux de les almes eit mercy."

On the pavement of the chancel a portraiture of a knight in complete armour, and his lady on the right hand in brass: round the gravestone:

"Priez pour les almes Monsieur Miles de Stapleton et Dame Johanne sa femme, fille de Monsieur Olivier de Ingham, fondeurs de ceste mayson, que Dieu de leur almes eit pitee.

^a He had a son John de Ingham, who died in his lifetime, the 12 Edw. III., s. p.

On another gravesone, the portaitures in brass of a knight in armour, with his lady and this epitaph :

“Icy gist Monseur Miles de Stapleton fils al Foundeur de ceste Mason, et Dame Ela sa compagne, &c.”

On another, a knight and his lady, with this inscription :

“Hic jacet Dñs Brianus Stapleton fil Dñi Milonis Stapleton filii Fundatoris qui ob. 29 Die mensis Augusti anno quadringentesimo et Dña Cecilia filia Dñi Bardolf uxor ejusd Dñi Briani que ob. 29 die Septembris anno Dñi 1452 quoz aīab^o ppitietur Deus.”

On a like stone, the portraitures of a knight and his two wives :

“Orate p aīa Dñi Milonis Stapleton militis filii Dñi Briani Stapleton filii Dñi Milonis Stapleton, filii Dñi Milonis Stapleton miť Fundatoris ecclie hujus qui ob. 1 Die Octob anno Dñi 1466 et p aīab Dñe Catherine filie Dñi Thomæ Pole fiť Michaelis nup comitis Suffolk, et Eliź filie Dñi Simonis Felbrigg miť consortium primi p̃ missi Dñi Milonis.”

On a gravestone with the pourtraiture of a lady in brass :

“Icy gist Jone, jadis femme a Mounseur John Plays, fille a Mounseur Miles de Stapleton que amourout le second jour de Septemb.”

On another, a lady in brass, the epitaph re-added with the arms of Ufford, which purports to be for Ela, the daughter of Sir Edmund Ufford.

Also on another stone :

“Hic jacet venerabilis Edmund Stapleton armiger quondā camerarius serenissimi principis Johs Ducis Norf et filius Milonis Stapleton, fiť Fundatoř hujus Domus, qui ob. 1462 et Dña Matilda consors ejus, uxor quondam Hugonis Fastolf miť que ob anno 1435.”

The priory of Ingham was founded by Sir Miles Stapleton and the lady Joan his wife, daughter and coheir of Sir Oliver de Ingham, in the 34 Edw. III. : the friars to pray for the souls of king Edw. III., Sir Miles Stapleton and the lady Joan, the founders, Sir Brian Stapleton and the lady Alice his wife, Sir Miles Stapleton de Hathesy in Yorkshire, John de Boys, and Roger de Boys his brother, Mr. Laur de Thornhill, Clerk, William de Hemelesey and Catherine his wife, and Reginald de Eccles, then living ; and for the souls of Sir Gilbert de Stapleton and the lady Agnes, father and mother of Sir Miles the founder, Sir Oliver de Ingham and the lady Elizabeth, Sir Nicholas Stapleton and the lady Catherine Boys, deceased.

This lengthy account of the Stapletons of Ingham has been so fully given, inasmuch as Dugdale in his Baronage has much confused and misrepresented them; which on reference to that work will be readily perceived.

KERDESTON.—(6 Edw. III.)

WILLIAM, son of Roger de Kerdeston, married Margaret,^a daughter and coheir of Gilbert de Gaunt, lord of Folkingham, in the county of Lincoln, who died the 3 Edw. I., and sister and coheir of Gilbert de Gaunt, who died circ. 26 Edw. I., s.p.

Roger de Kerdeston, son and heir of William, was summoned to parliament from the 6 to the 10 Edw. III., and dying the following year,^b was succeeded by his son

William de Kerdeston, who had summons from his father's death, (11 Edw. III.,) to the 34 Edw. III.,^c and died the year following; but none of his posterity were after summoned, arising most probably from the questionable right as to who was his next legal heir; for on this there was a great controversy between John de Burghersh, found by one inquisition to be his cousin and heir, and William de Kerdeston, found by another inquisition to be his son and heir, who, making his appeal to the Court of Chancery, obtained the inheritance.*

In Morant's Essex† it is stated, and partly confirmed by a MS. ped. in Coll. Ar-morum, that William the baron was twice married; and by Margaret Bacon, his first wife, had issue two daughters, viz.: Maud, who married John de Burghersh, and had a son John, who dying the 19 Ric. II., left two daughters his coheirs; whereof, Margaret married first Sir John Grenville, and secondly John Arundel; and Maud, the other daughter, wedded Thomas, son of Geoffrey Chaucer, the poet, by whom she had a daughter Alice, who was thrice married. Margaret, the other daughter of William de Kerdeston and Margaret Bacon, married William Tendring; whose son William left two daughters, coheirs; of which, Alice was wife of Sir John Howard, and Elizabeth was the wife of Simon Fincham.

The second wife of William the baron was Alice, or Blanch Norwich, (called his concubine), by whom he had the controverted son William, as before mentioned. This

^a She died in 1321, and was buried at Langley, in Norfolk, viz: Anno Dom. 1321, obiit Margareta, quondam uxor domini Willielmi filii Rogeri de Kerdeston, Militis, et jacet in Ecclesia Abbatiae Langeley, ante Altare Crucis juxta Dominum Thomam de Kerdeston Archidiaconum Norf., ex parte Aquilonari, qui Thomas ob. 1220.

^b Anno Domini 1337 obiit Dominus Rogerus de Kerdeston miles, et sepelitur in Ecclesiâ Abbatiae de Langeley, juxta matrem suam ex parte australi.

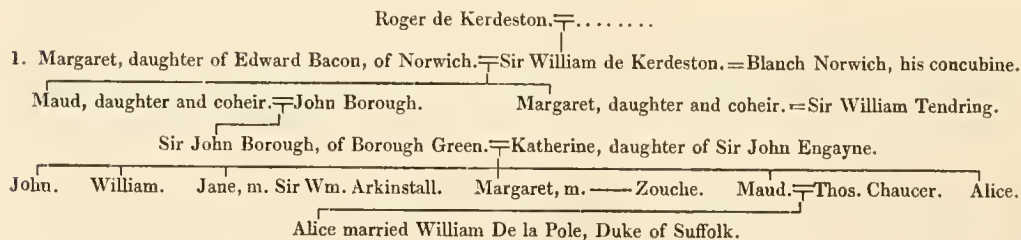
^c In the writ of summons of the 11 Edw. III., in a parenthesis, is noted "*Vacat quia restitutus fuit, et alibi in obsequio regis.*"

* Vide Rot. Parl. 44 Edw. III., m. 8, pars tertia.
† Vol. ii., p. 129.

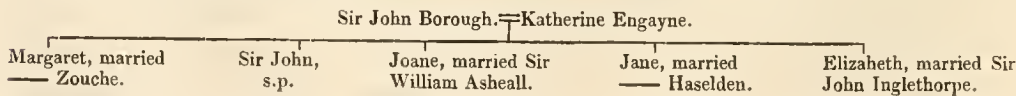
William de Kerdeston, so acknowledged to be lawfully born, by Cecilia de Brews, his wife, had issue Sir Leonard Kerdeston, whose son, Sir Thomas, died 20 July, 1446; having had issue by Elizabeth his wife, a daughter and heir Elizabeth, who married Sir Terry Robsart, and had issue by him a daughter Lucy, who married Edward Walpole, and two sons, William and John; which John Robsart, by Elizabeth, daughter of John Scot, of Camberwell, in the county of Surrey, had an only daughter and heir Anne, who was first wife to the celebrated Robert Dudley, earl of Leicester, the great favorite of queen Elizabeth, and had the misfortune to break her neck by a fall down stairs, not accidentally, but wilfully caused, as generally supposed by the contrivance of the earl, her very infamous husband.

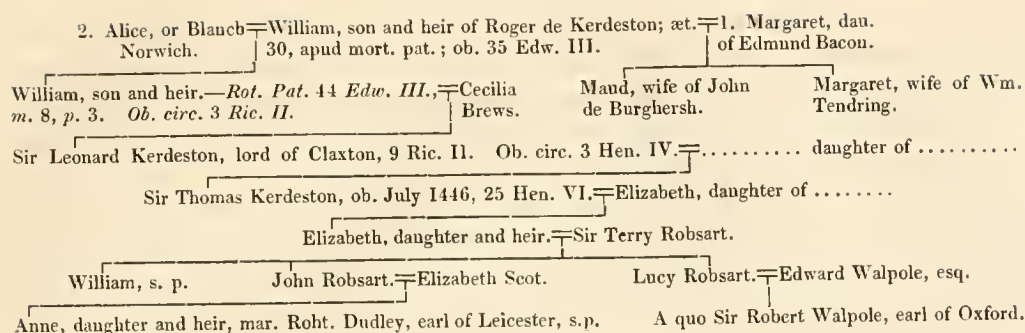
Sir Harris Nicolas, in his Synopsis, says, "the barony of Kerdeston, on the failure of the issue of William de Kerdeston, the reputed son of the last baron, fell into abeyance between his half sisters, or their descendants, and is presumed to be now vested in their representatives," which would be on the part of Margaret Kerdeston, who married John Arundel, the coheirs of Richard Arundel Bealing. But the issue of the said William de Kerdeston did not fail as herein before mentioned, his grandson Thomas leaving a daughter and heiress Elizabeth, who married Sir Terry Robsart, whose daughter, and eventually sole heiress, Lucy, married Edward Walpole, esq.; from whom descended Sir Robert Walpole, first earl of Orford, in whose heirs general the right of the barony of Kerdeston may be considered now vested.

It has been stated that Maud Kerdeston married *John de Burghersh*; but in the visitation of the county of Cambridge, by Henry St. George, anno 1619, the name is called *Borough*, and not *Burghersh*, viz:



But in another statement in the same Visitation, in the pedigree of his own family, St. George gives the issue of John Borough, as under:—



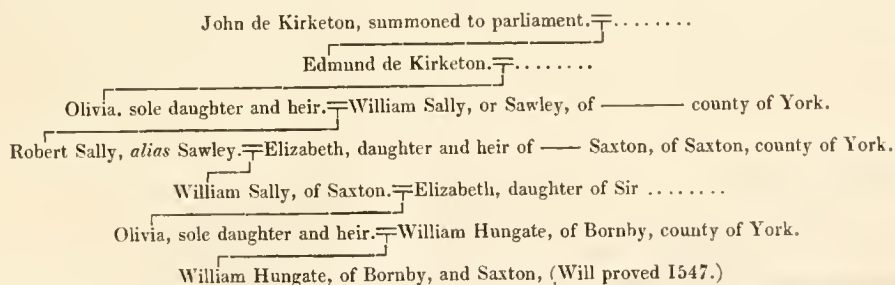


KIRKETON OR KERKETON.—(37 EDW. III.)

JOHN DE KIRKETON, or Kerketon, in that part of Lincolnshire called Holland, the 16 Edw. III. being possessed of the manors of Tatshall and Tumby, in that county, made a feoffment thereof to Adam de Welles and others, to stand seised of the same to the use of himself, and Isabel his wife,* and to the heirs of their two bodies, with divers remainders; and having had summons to parliament the 36 and 37 Edw. III., died the 41 of the same reign,† leaving, according to Dugdale, Sir John Tudenham, knight, Richard de Lina, John de Tilney, and William de Sutton, rector of the church of Whitwell, his next heirs.

* Vide Esch.
43 Edw. III.
part. I. n. 60.
† Esch. No. 38.

But, among the Dodsworth MSS., at Oxford, there is a pedigree, which differs much from this statement, if the John therein mentioned be the same who had summons to parliament the 36 and 37 Edw. III.



THOMAS KIRKETON.—(16 EDW. III.)

THOMAS DE KIRKETON had summons to a great council to be holden at Westminster, the 16 Edw. III., which though it purports from the words *pro arduis negotiis, &c., ibi*

tractatum, yet does not appear to have been for the holding a regular parliament; but as it was afterwards prorogued, the summons cannot be considered to have created any baronial right. As to who he was, of what family, whether connected with the preceding John de Kirketon, or had any wife, or issue, Dugdale is silent; and his name does not have notice in any other genealogical author.

* Vol. i., p.
248.

Thoroton, in his History of Nottinghamshire,* indeed mentions a family of the name, whereof a Robert de Kirketon, (a place so named in that county,) by Beatrix his wife, had a son Thomas, living the 17 Edw. III., who by Margareta his wife, left a daughter and heir, who married John de Stockton, (45 Edw. III.) from whom came Avicia, wife of William de Leck, or Leek. This might be the aforesaid Thomas, summoned the 16 Edw. III.; and his not being again summoned might arise from his decease, the 17 Edw. III.

† Dug. Lists
of Sum.
‡ Chron. Jurid.

There was a *Dominus Robertus de Kirketon* summoned generally among the barons and others *equis et armis* to Newcastle-upon-Tyne, the 24 Edw. I.;† and there was a Roger de Kirketon, a Justice of the Common Pleas, the 40 Edw. III.‡

KNOVILL.—(23 EDW. I.)

BOGO DE KNOVILL had summons to parliament from the 23 to the 34 Edw. I. In the parliament at Lincoln the 29 Edw. I., he was one of those barons who subscribed the letter to the pope, asserting the supremacy of England over the realm of Scotland, when his name was written, "*Bogo de Knovill, Dominus de Albomonasterio.*" In the 26 Edw. I. he had summons to be at Carlisle, *equis et armis*; and it is to be remarked, that in this writ, all summoned were denominated by their respective ranks of earls, and barons, in which last character he is included. He died, as it is said, the same year as his last writ of summons; and not having his name mentioned in the writ of the 35 Edw. I. it leaves it to be inferred that he was not summoned from the 23 Edw. I. to the 1 Edw. II., as stated by Sir Harris Nicolas;§ but that the said writ of 1 Edw. II. was to his son Bogo, which

§ Synopsis, v.
i., p. 357.

Bogo, the second of his name, so summoned to parliament the 1 Edw. II., was also summoned the same year to attend the coronation of that monarch,|| but he was not ever after summoned to parliament. In the 15 Edw. II. he was concerned in the insurrection of the earl of Lancaster, and was taken prisoner with divers others of the nobility at Boroughbridge; but further of him, not any mention is made by Dugdale, or of his descendants, in whom, if not forfeited in the person of this Bogo, the barony may probably still remain vested. He, if it be the same Bogo, died the 12 Edw. III.,¶ leaving John his son and heir, aged twenty-three; but neither he nor any of his descendants ever after had summons.

¶ Esch. No.
33, Fin. 13
Edw. III.

|| Coron. Rot.
1 Edw. II.

KNYVET.—(5 JAMES I.)

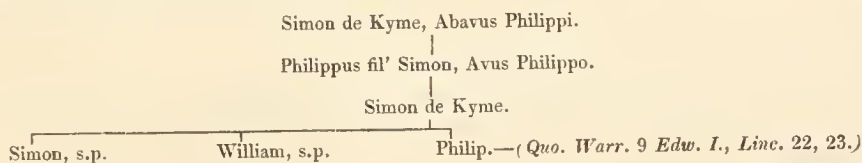
THOMAS KNYVET, a younger son of Sir Henry Knyvet by Anne his wife, daughter and heir of Sir Christopher Pickering, to whom, by an heir female of Lascelles, the manor of Escrick, in the county of York, had devolved, was summoned to parliament from the 7 to the 19 James I. as *Thomæ Knyvet Chiv'*. The Journals of the House of Lords thus making mention of him, viz: "*Thomas lord Knyvet, of Escrick, was introduced, being called by writ 4th July, 1607.*" Dying without issue his barony became extinct; but the manor of Escrick descended to Elizabeth his niece, daughter and coheir of Sir Henry Knyvet, of Charlton, which Elizabeth married Thomas Howard, earl of Suffolk, whose son Sir Edward Howard was created baron Howard, of Escrick, 4 Car. I., which title is now extinct.

Kyme.—(23 EDW. I.)

PHILIP DE KYME, descended from William de Kyme, so named from a lordship in Kesteven, in the county of Lincoln, temp. king Stephen, had summons to parliament from the 23 Edw. I. to the 7 Edw. II. In the 26 Edw. I. being summoned, *equis et armis*, he is in the writ denominated *a baron*. In the 29 Edw. I. he was one in the parliament at Lincoln who subscribed the famous letter to the pope, being then designated, *Philippus Dominus de Kyme*. In the 35 Edw. I., he is mentioned in the writ as *excused by the king his attendance*. In the 1 Edw. II., he had summons to that king's coronation. He died circ. 16 Edw. II., leaving by his wife, daughter of Hugh Bigot, a daughter Lucy de Kyme, and a son William, which

William de Kyme had summons to parliament from the 17 Edw. II. to the 9 Edw. III., and died the 12th of the same reign s.p.; whereby his sister Lucy, or Lucia, became his heir who married Gilbert de Umfravill, styled earl of Angus, to whom she was first wife, as under that title is further stated.*

* Vide Umfravill.



LANCASTER.—(25 EDW. I.)

ROGER DE LANCASTER, bastard brother to William de Lancaster, the last baron of Kendal, married Philippa one of the four daughters and coheirs of Hugh de Bolebec, a great feudal baron in the county of Northumberland; and dying circ. 19 Edw. I.,† left issue

† Weever, p. 654.

John de Lancaster his son and heir, and also two other sons, William and Christopher. This John had summons to parliament from the 25 Edw. I. to the 3 Edw. II. In the 29 Edw. I., at the parliament at Lincoln, being then designated "*Johannes de Lancastre Dominus de Grisdale*," he was one of those who affixed their seals to the letter from the barons to the pope. Dying s.p. his barony became extinct.

LANCASTER.—(27 Edw. I.)

HENRY PLANTAGENET, brother to Thomas, earl of Lancaster, son of Edmund, earl of Lancaster, second son of king Hen. III., was summoned to parliament the 27 Edw. I., as "*Henrico de Lancastre nepoti Regis*;" and as "*Henrico de Lancastre*" from that year to 17 Edw. II. But having been restored to the earldom of Lancaster, which had been forfeited by the attainder and decapitation of his elder brother, earl Thomas, in 1321, he thence bore the title of earl till his death, in 1345.

Henry his son and heir had summons to parliament vi. pat., the 9 Edw. III. (1335.) In 1337 he was created earl of Derby; and in 1345 succeeded his father in the earldom of Lancaster, and in 1354 was created duke of Lancaster; but dying in 1361, without issue male the barony fell (as it is termed) into abeyance between his two daughters, whereof, Maud was twice married; but deceased s. p.; and Blanch married John of Ghent, afterwards duke of Lancaster, whose son and heir Henry eventually ascending the throne, by the title of king Hen. IV., the barony with all the other honours merged in the crown.

LANSLADRON.—(28 Edw. I.)

SERLO DE LANSLADRON, of whom Camden observes that he was summoned to parliament *when the wise and good were, and their posterity omitted if incapable, or deficient in knowledge*, had summons to parliament the 28, 30, 32, 33, and 34 Edw. I. He had issue Henry, and a daughter Miranda, who married John, the son of Robert de Govely, lord of Govely, in the county of Cornwall.

Henry, son of Serlo de Lansladron, was never summoned to parliament. He had a son Sir Odo Lansladron, who never had summons, nor William the son of Sir Odo; which William dying s. p., the posterity of Miranda, his great aunt, became his heirs. She had issue Rose de Govely her daughter and heir, who married Sir Otes de Trerise, lord of Trerice, near Columb-major, in com. Cornub., (living 17 Edw. II.,) and had a son Michael de Trerise, (living 15 Edw. III.,) who, by Alice de Flamock, his wife, had an only daughter and heir Joane, who married, first, Sir Ralph Arundel, of Kenvelhelves; and secondly Sir John Arundel, of Lanherne, knight. But, by her first husband, Sir Ralph Arundel, she had a son Nicholas Arundel, of Trerice, and Govely, in her

right; from which Nicholas descended the barons Arundel of Trerise, a title now considered extinct: but this family of Arundel seems, as the heir general of Lansladron, to have inherited its estates; and if any barony of Lansladron was created under the writs of summons to Serlo de Lansladron, the right thereto would be vested in the heir general representative of, and descended from, Sir Ralph Arundel.

The pedigrees of the Arundels of Wardour and Trerise are very differently given by Edmondson and Collins, with great contrariety to each other.

LASCELLES.—(22 EDW. I.)

OF this very ancient family in the county of York, the first person summoned to parliament was

Roger de Lascelles, the 22, 23, and 24 Edw. I., but never after, nor any of his family, which, in the male line was long continued; but that from Richard his brother terminated in coheirs; whereof, Margaret, one of them, married James Pickering, of Windersham, in the county of Westmorland; from whose heiress the manor of Escrick was carried by marriage into the family of Knyvet; of which, Sir Thomas Knyvet was summoned to parliament, and took his seat as baron Knyvet, of Escrick, 7 Jac. I., as herein before mentioned.*

* Vide Knyvet

The said Roger de Lascelles died shortly after his last writ of summons. He married Isabel, daughter and heir of Thomas Fitz Thomas, who survived him; and died 23 May, 1326, (16 Edw. II.) By her he had issue four daughters his coheirs; whereof

Matilda married first Robert de Hilton, of Swine, in Holderness, and had a son Robert de Hilton, called *son of Matilda*, in the Mauley pedigree, who married Constance, daughter of Peter de Mauley, by Constance his second wife. The said Matilda married secondly Sir Robert Tilliol, 28 Edw. I.†

† Ex. MS.
Geneal. in Coll.
Arm.

Theophania, 30 Edw. I., wife of Ralph Fitz Randolph.

Johanna, 30 Edw. I., first wife of Thomas de Culwen.

Avicia, marriage covenant dated 10 Edw. I., vixit 30 Edw. I., married Sir Robert le Constable, of Halsham, and had a son John de Constable of Halsham.

LATIMER.—(28 EDW. I.)

WILLIAM LE LATIMER^a had summons to parliament from the 28 to the 33 Edw. I., as William le Latimer, senior. In the 29 Edw. I. he was one of those who in the parlia-

^a The origin of the name is attributed to Wrenoc, the son of Meuric, who held certain lands by the service of being *Le Latimer*, or *Interpreter* between the English and the Welch.

* Vide Banks's
Dorm. & Ext.
Bar. vol. i.

ment at Lincoln subscribed the letter to the pope, being then designated "*Willielmus le Latimer Dominus de Corby.*" He died the same year as his last writ of summons, being then jointly seised with Alice his wife, one of the daughters and coheirs of Walter Ledet,* of the one half of the barony of Waldon, in the county of Northampton, as also of the moiety of the town, and whole hundred of Corby, in the said county, of her inheritance. To him succeeded

† Coron. Rot.
1 Edw. II.

William le Latimer, then his son and heir, (John the eldest having died *vitâ patris*, s.p.) ; which William had summons in the lifetime of his father, and one year before his death, viz. 27 Edw. I., and from thence to the 33 Edw. I., as *William Latimer, junior* ; but after his father's death, to the 20 Edw. II., as *William Latimer* only. The 1 Edw. II. he was one of the barons summoned to the king's coronation.† He was twice married, first to Lucie de Thwenge, from whom he was divorced ; and secondly to Sibill, widow of William de Huntingfield ; and died 1 Edw. III., leaving William his son and heir then twenty-six years of age ; which

William le Latimer, the third of his name, doing his homage, had livery of the manor of Danby, and all other, the lands of his inheritance, and had summons to parliament from the 1 to the 9 Edw. III ; when, dying the same year, he left by Elizabeth his wife, daughter of the lord Botetourt, William his son and heir, then only six years old, and the said Elizabeth surviving.

William, the fourth of his name, and fourth baron Latimer, had summons to parliament from the 42 Edw. III., to the 3 Ric. II., inclusive, and died the year next ensuing (1380) without issue male, but leaving by Elizabeth his wife, daughter of Edmond, earl of Arundel, an only daughter and heir Elizabeth ; which

Elizabeth Latimer became the second wife of John lord Nevill of Raby, father of Ralph Nevill, the first earl of Westmorland, of his family, and by the said John lord Nevill had issue a son John, and two daughters, Elizabeth and Margaret, which latter died unmarried, and the former became eventually sole heiress to her brother,* and to the barony of Latimer created by writ in the persons of William, the first and second barons, the 28 and 27 Edw. I.

JOHN NEVILL LORD LATIMER.—(5 HEN. IV.)

JOHN NEVILL, son and heir of Elizabeth Latimer, by John lord Nevill, of Raby, had summons to parliament from the 5 Hen. IV. to the 9 Hen. VI., inclusive, by writ directed "*Johanni le Latimer,*" and died the same year, leaving Elizabeth and Margaret his sisters, (before mentioned,) his coheirs. Of these, Elizabeth, by the death of Margaret, unmarried, became the sole heiress of her mother's barony, and married Sir Thomas Willoughby, knight, whose descendant Robert lord Willoughby de Broke, her great

grandson, claimed * by virtue of this descent, the barony against Richard Nevill, grandson of George Nevill, who had been summoned to parliament (as hereafter noticed) as baron Latimer, by writ, 10 Hen. VI., the said George Nevill, being son of Ralph Nevill, earl of Westmorland, son of John lord Nevill, by his first wife, Maud, daughter of Henry lord Percy, and not by his second wife Elizabeth Latimer; so that the said George had not a particle of the Latimer baronial blood in him. The lord Broke, however, failed in his claim, it being urged against it, that divers lordships and lands, whereof the said John Nevill, lord Latimer, was seised, being, for want of issue male of his body, entailed upon Ralph Nevill, earl of Westmorland, his elder brother, of the half blood, the said Ralph settled them by feofment upon George Nevill, one of his sons, by Joane his second wife, an illegitimate daughter of John of Ghent, duke of Lancaster, who thereupon had been summoned to parliament as lord Latimer: but, it is here rather a singular circumstance, that the said George Latimer did not come into possession of these lands till after his writ of summons. The determination against the lord Willoughby de Broke thus purports that the barony followed the possession of the lands; yet, upon the present doctrine, respecting the descent of baronies by writ, it must be evident the ancient barony of Latimer is legally vested in the now lord Willoughby de Broke, as the heir general thereto.

* Vide Collins' Parl. Preced.

GEORGE NEVILL LORD LATIMER.—(10 HEN. VI.)

GEORGE NEVILL having in manner aforesaid acquired the lands of Latimer, had summons to parliament by writ addressed "*Georgio Latimer Chiv*",† the 10 Hen. VI., and from thence to the 9 Edw. IV.; whereby a new barony of Latimer was created in him. He married Elizabeth third daughter and coheir of Richard Beauchamp earl of Warwick, and coheir to her mother Elizabeth, daughter and heir of Thomas lord Berkeley, whereby his issue by her became coheirs to that barony. Sir Henry Nevill, his eldest son, having died before him, he was succeeded upon his death, in 1469, (9 Edw. IV.,) by his grandson Richard, who was then in minority, about two years old; which

† Dugd. Lists of Summ.

Richard Nevill, second lord Latimer of the new creation, after his coming of age, had summons to parliament the 7, 11, and 12 Hen. VII., and the 1, 3, 6, 7, 14, and 21 Hen. VIII. It was this Richard who had the contest with the lord Willoughby de Broke, touching the barony of Latimer, on which occasion Collins says,‡ "The lord Willoughby was informed by an herald, that Sir George Nevill, grandfather to Richard, was created lord Latimer by a new title, and that the lord Broke had made a wrong claim, who ought to have claimed his style from William lord Latimer, temp. Edw. I.—On this the lord Broke perceiving his error, and having a title of his own, was contented to conclude a match between their children; and Richard suffered a recovery on certain

‡ Parl. Preced. p. 211, & seq.

manors, and lordships, demanded by the lord Broke, with which adjustment both parties were satisfied."^a After this he died, the 22 Hen. VIII., having had by Anne his wife, daughter of Humphrey Stafford, of Grafton, a numerous issue, whereof

John Nevill, his eldest son, was his successor, and the third baron. He had summons to parliament the 25, 28, 31, and 33 Hen. VIII., and the next year departed this life, leaving by Dorothy his first wife,^b one of the daughters and coheirs of John Vere, earl of Oxford, John his son and heir, which

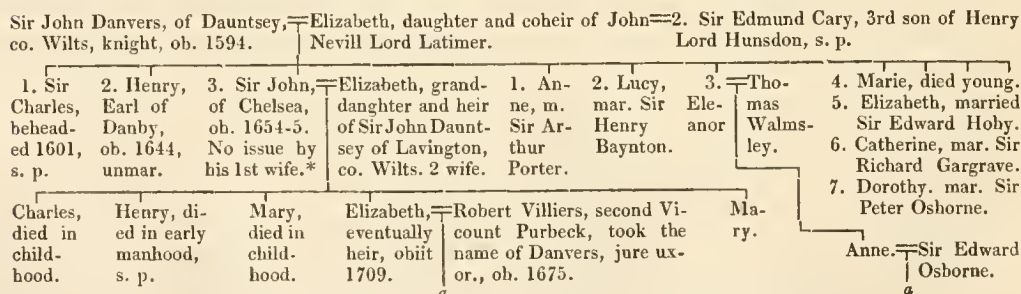
John Nevill, fourth lord Latimer, was the last of his family. He had summons to parliament from the 35 Hen. VIII. to the 23 queen Elizabeth, about which time he deceased, having had issue by Lucy his wife, daughter of Henry, earl of Worcester, four daughters his coheirs, whereof Catherine married Henry Percy, earl of Northumberland; Dorothy was wife of Thomas, eldest son of William Cecil, the famous lord Burleigh; Lucy married Sir William Cornwallis; and Elizabeth married, first, Sir John Danvers, by whom she had three sons, and seven daughters, and secondly, Sir Edmund Carey, but by him had not any issue.

Of the sons of Elizabeth, who married Sir John Danvers, Sir Charles was attainted the 43 queen Elizabeth; Sir Henry was afterwards created earl of Danby, and died anno 1643, s.p.; and Sir John Danvers, the other son, was one of the judges upon king Charles I., from whom descended Lewis Villiers, esq.: as such, while any issue remains from this Sir John Danvers, there cannot be any interest in the barony of Latimer vested in the duke of Leeds, as descended from Eleanor,* one of the sisters of the said Sir John.

* Sic. in Mon.
Insc. at Stow.

The heir general of Lucy, who married Sir William Cornwallis, is the lord Rollo, of Duncrub, a peer of Scotland.

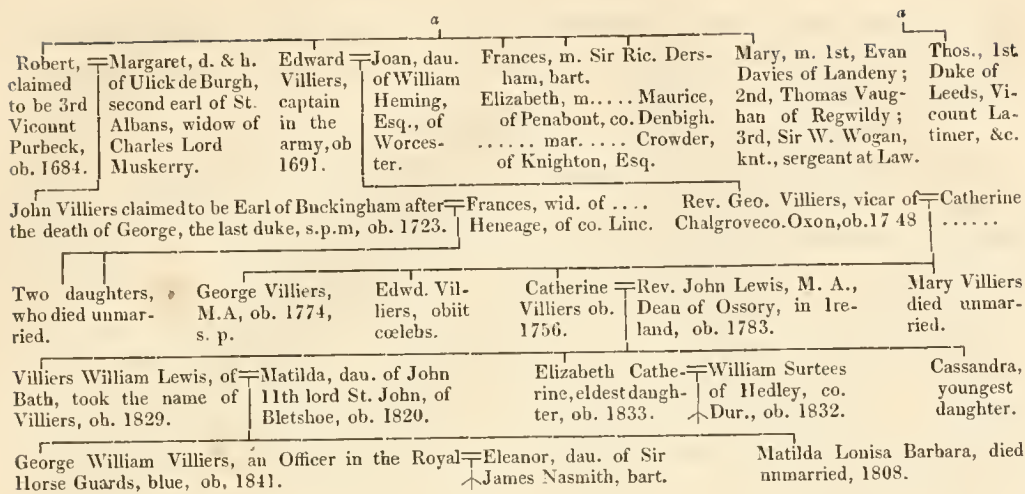
The Duke of Northumberland is not lord Latimer, as frequently erroneously stated, but only a coheir through Catherine, who married Henry, earl of Northumberland.



* He had a third wife, Grace Hewes, and had a son John, supposed to have died young.

^a This compromise by no means extinguishes the right of the lord Willoughby de Broke to the old barony of Latimer.

^b His second wife was Catherine, the daughter of Sir Thomas Parr, of Kendal, knt., by whom he had not any issue; and she became afterwards the last wife of Hen. VIII.



LATIMER OF BRAYBROKE.—(28 EDW. I.)

JOHN LATIMER, brother of William, who married Alice one of the two daughters and coheirs of Walter Ledet,* a great baron in Northamptonshire,^a married Christian the other daughter and coheir, and died the 11 Edw. I., leaving

* Vide Banks's Dorm. & Ext. Baron. vol. i.

Thomas Latimer, his son and heir, who the 26 Edw. I. had summons to Carlisle, *equis et armis*, and in that writ was designated a baron; the great men then summoned being specially mentioned by their degrees of rank, viz: *Comites et Barones*, in which latter his name was included;† afterwards he had summons to parliament from the 28 to the 34 Edw. I., and in the 1, 2, and 4 Edw. II., to whose coronation, in the character of a baron, he was also summoned.‡ In the 29 Edw. I., though summoned to the parliament at Lincoln, he was one of those who did not sign the famous letter then written to the pope.§ He died circ 8 Edw. II., being then seised among other manors and lands, of Wardon, and Braybroke, in the county of Northampton, leaving

† Dugd. Lists of Summ.

‡ Coron. Rot. 1. Edw. II.

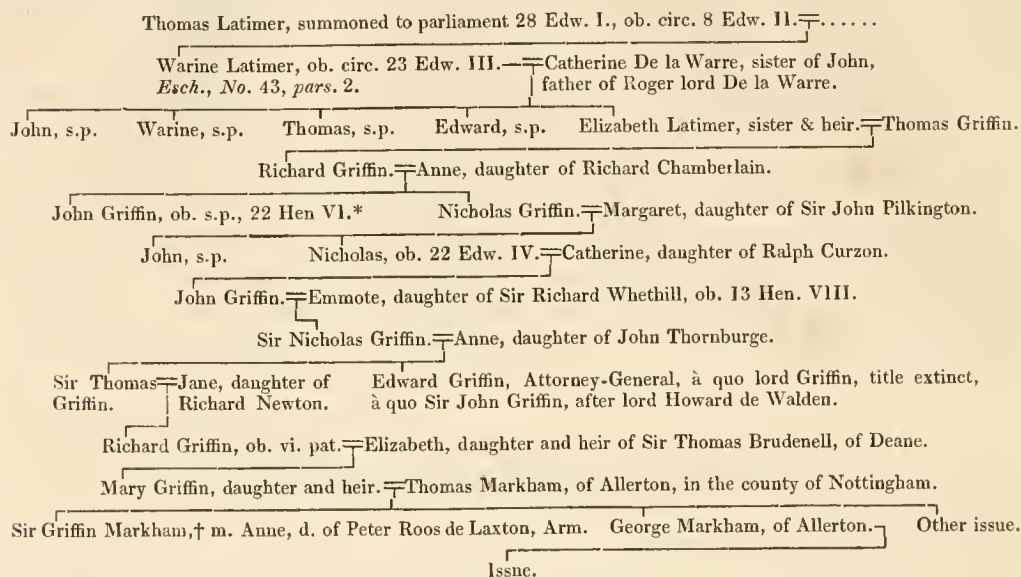
§ Dugd. Lists of Sum.

Warine Latimer, his son and heir, who never had summons to parliament. He married Catherine sister of John, father of Roger lord De la Warre, who died the 44 Edw. III.;|| and according to Vincent's pedigree of the De la Warre family,¶ had by

|| Vide de la Warre.
¶ Ibid.

* Henry Braibroc, or Braybroke married Christian, daughter and heir of Wischard Ledet, and by her had two sons, viz., Wischard and John, whereof, the former took his mother's name, and was father of the above mentioned Walter Ledet; John, the younger son, retained his paternal name of Braibroc; from whom descended Sir Reginald Braibroc, who married Joane de la Pole, and had Joane his daughter and heir, wife of Thomas Broke, in her right lord Cobham.

her four sons, John, Warine, Thomas, and Edward, none of whom were ever summoned to parliament, and all died s.p.; whereby Elizabeth, their sister, became eventually their heir, and married Thomas Griffin.



* Query.—This John, elder brother to Richard, and not son, to accord with the claim noticed in the De la Warre barony. Query also, whether *Elizabeth* Latimer should not be *Catherine* for the same purpose, but Vincent names her *Elizabeth*.

† He was knighted at Ronen, but afterwards banished.—(Vide Thoroton's *Nottingham* by Throsby, vol. iii., p. 348.)

LEIBURNE.—(27 Edw. I.)

WILLIAM DE LEIBURNE, or LEYBURN, had summons to parliament from the 27 Edw. I. to the 4 Edw. II., to whose coronation he had also summons to attend.* He was one of the barons in the parliament at Lincoln, 29 Edw. I., who then subscribed with their seals the famous letter from the nobles of England to the pope, his name being then written "*Wilhelmus Dominus de Leyburne*." He died circ. temp. of his last writ of summons, leaving Julian, daughter of his son Thomas,† who deceased in his life time, his next heir; which Julian married John de Hastings, and had issue Laurence Hastings, first earl of Pembroke of his name, whose grandson, John, the third Hastings, earl of Pembroke, died s.p., whereby there was a failure of issue from this her first husband; as there also was from her second husband, Thomas le Blount; and her third, William de Clinton, earl of Huntingdon.

The said Julian Leyburne married, secondly, William de Clinton, earl of Huntingdon, who died s.p. By some authorities‡ she is stated to have married Sir Thomas Blount, steward of the household to king Edw. II., before Clinton, who was her third

* Coron. Rot. 1 Edw. II.

† Vide Orig. 6 Edw. III., Rot. 2, Kanc.

‡ Milles' Cat. of Hon.

husband; but not leaving any issue continuing through her, the barony of Leiburne became extinct.

JOHN DE LEIBURNE.—(11 EDW. III.)

JOHN DE LEIBURNE had summons to parliament from the 11 to the 22 Edw. III., about which time he died, s.p., and his barony became extinct. Who he was, or whether related to, or of the same family as William before mentioned, is not stated, Dugdale merely mentioning that his mother was Lucia, sister and next heir to John le Strange, of Cheswardine, in Shropshire.

Among the Cottonian MSS.* there is much mention of this family; but differing in various respects from other accounts given in several local topographical histories. In *the Collectanea Topographica et Genealogica*† it is stated that Simon Leybourne, who died 2 Edw. II.,‡ had issue Sir John Leybourne, who held jointly with his father the manor of Berewick, in the county of Salop; and had two sisters, Katherine and Maud; which Katherine, sister and heir of John, married ---- Lucy, summoned to parliament 25 Edw. I. But, as whatever barony this John de Leybourne might have by virtue of his writs of summons, terminated with his death, s. p., any attempt to reconcile discordant statements is not necessary. Sir Harris Nicolas, in his Synopsis, has not thought it requisite to take up the subject.

* Otho E. ix.

† Vol.8.p.178

‡ Esch.no.24.

LISLE, OF THE ISLE OF WIGHT.—(22 EDW. I.)

OF this name, according to Dugdale, there were several families, one taking that denomination from the Isle of Ely, (as it is believed,) and the other from the Isle of Wight; of which last mentioned, after several descents, was^a

John de Insula, or L'Isle, governor of the castle of Carisbrooke, in the Isle of Wight, temp. Edw. I. The 22 Edw. I., he had summons to parliament; and the 26 was summoned to Carlisle equis et armis; on which occasion his name is mentioned in the writ *as a baron*, those summoned being distinguished by their ranks, viz., *Comites et Barones*. The 28 Edw. I. he was summoned to the parliament to meet in London; and by another summons to the parliament to meet at Lincoln; in which he was one of the barons who affixed their seals to the letter written to the pope, being designated "*Johannes de Lisle Dominus de Wodeton*." His name appears again in the writs of summons of the 30 and 32 Edw. I.; in which last year he died, leaving John his son and heir,^b and another son, Walter de Insula; which

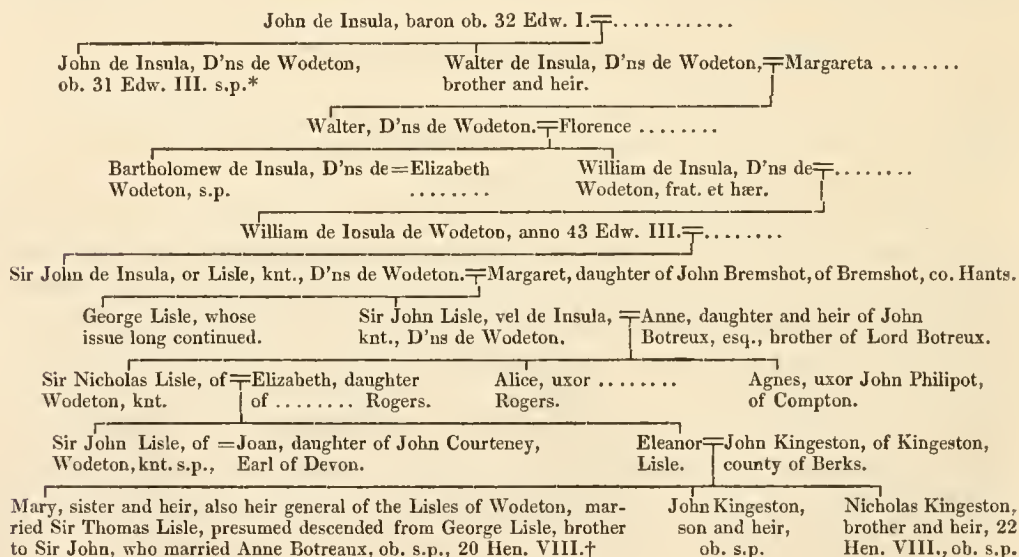
^a It seems probable this family was derived from Baldwin de Redvers, Earl of Devon, and Lord of the Isle of Wight, for in a MS. pedigree in the College of Arms it is stated that "Geffery de Insula, son of Jordan de Insula, temp. Hen. I. and Stephen, *dedit terras in puram elemosin' p' a'ia Com' Baldwin Devonsciorre*."

^b Had livery of his lands as John son and heir of John, son of William de Insula.—(*Orig. 32 Edw. I. Rot. 10. Suth'.*)

John de Insula had summons to parliament the 33, 34, and 35 Edw. I.; and in the writs of the 1, 2, 4, and 5 Edw. II. as "*Johanni de Insula Vecta*;" and in the said writ of the 5 Edw. II., the earls and barons being distinguished by their ranks of *Comites et Barones*, his name is written *inter Barones*. In the 8 Edw. II. he is again mentioned as summoned to parliament as *Johanni de Insula*, but not *Insula Vecta*, as in the preceding writs; which leaves it to be doubted whether this last writ applied to him, or to a *John de Insula*, a baron of the *Exchequer*,* who had theretofore been summoned among the king's justices and council from the 23 Edw. I. to this same year, the 8 Edw. II., in which the justices and king's counsel are intermixed in the same writ with the earls and barons. Howbeit, he never had writ of summons after this period, and died s.p., leaving Walter his brother and heir.

* Chron. Jurid

How far the right of barony devolved upon Walter, or became extinct upon the death of the last John, must depend upon whether the writs of summons from the 28 to the 32 Edw. I. applied to himself, or to his father; if to the latter, then Walter was heir thereto: but in the MS. pedigree in Coll. Arm., all the writs from the 28 Edw. I. are attributed to the son; yet as the father was living till the 32 Edw. I., and the name is written *John de Insula*, without distinction of senior or junior, they bear rather to belong truly to him, as the first baron; and the writs from the 32, to John his son, as the second baron.



* This pedigree, taken from a MS. in Coll. Arm., and sent to the Editor by the late Sir William Woods, appears not to be much to be relied upon. If this John, summoned as said from the 28 Edw. I., did not die till the 31 Edw. III., he must have been an aged man.

† If this Mary died the 20 Hen. VIII., she could not be heir to Nicholas her brother, who died the 22 Hen. VIII., for he was heir to her. There is some error in the dates.

LISLE OF RUGEMONT.—(5 Edw. II.)

ROBERT DE LISLE,^a of Rugemont, in the county of Bedford, had summons to parliament the 5 Edw. II., by the designation of *Robert de Insula*, and in the writ he is named among those styled *barones*, the earls and barons being then specially mentioned by their degrees of rank, viz: *Comites et Barones*.^{*} From this period to the 16 Edw. III., his name appears in a regular series of summonses; but it seems that before his death he entered into the habit of religion.^b He settled certain manors in the county of Cambridge upon Alice, the daughter of Robert de Lisle, Elizabeth Peverell, and Richard Bayeaux, for life, with remainder to John, the son of Robert de Lisle and his heirs; after when he died, the 16 Edw. III., leaving†

* Dug. Lists of Summons.

John de Lisle his son and heir, twenty-four years of age at the time of taking the inquisition:‡ which John became highly distinguished for his valour and military achievements in the warlike reign of Edw. III., and by that king was made one of the Knight's Companions of the order of the Garter on its first foundation. Dugdale observes§ that it is said by some, that after the battle of Crecy, the king *created two barons*, viz: Alan Zouche and John L'Isle. But if the writs of summons of his father, for upwards of thirty years in regular succession, can be deemed to have conferred an inheritable barony by writ, then the said John was a baron without this alleged creation, for which no record of patent or charter is cited; all that can be assumed from it seems to be that it was a confirmation of his previous rights, for afterwards he had summons to parliament from the 24 to the 28 Edw. III.,^c and died circ. 29 or 30 Edw. III., leaving

† Dug. Bar., vol. i., p. 738.

‡ Esch. 16 Edw. III., n. 40.

§ Bar., vol. i., p. 739.

Robert de Lisle his son and heir, who had summons in the 31 and 34 Edw. III., but not afterwards, by reason whereof Dugdale says he need not pursue the account of them any further; yet, if the family acquired any barony by the writs of summons to Robert, temp. Edw. II. and III., or from the alleged creation of John by Edw. III., it must be presumed an inheritable dignity was vested in his posterity which still remained, as the following pedigrees will show.

^a This is the family which is supposed to have taken its name from the isle of Ely, and which held very considerable lands in Cambridgeshire, where the male line long continued.

^b The Register recites, viz: Robert lord Lisle, who became a Fryar, died 4th January, 1343, and was buried in the Grey Friars, Londou, having entered into the holy brotherhood after the death of his wife. In the same Register is entered among the burials, *Dn's Robert de Lyle filii et hæred' p'fati D'ni*; which rather indicates that Robert, the Fryar, had a son Robert who died in his lifetime, leaving a son John successor to his grandfather; and this seems to be inferable from the settlement above alluded to, wherein Robert, the Fryar, limits the remainder in his Cambridgeshire manors to *John, son of Robert de Lisle*.

^c His name appears only in the writs of the 24, 25, 26, and 28 Edw. III., as *John de Insula de Rubeo Monte*. It is again similarly mentioned in the writ of the 31 Edw. III., but that is considered an error for Robert. In Dugdale's Index to his Lists of Summons, the name of this John is totally omitted.

BARONIA ANGLICA CONCENTRATA.

LISLE.—DODSWORTH, VOL. v., p. 21.

Alicia de Courcy. = Warine Fitz-Gerald.
 |
 Henry Fitz-Gerald. =
 |
 Alicia Fitz-Gerald. — *Fines* 12 *Edw. II.* = Robert de Insula.
 |
 Robert de Insula. = Albreda
 |
 Warine de Insula, ob. 3 *Edw. II.* =
 |
 Robert de Insula, of age the 3 *Edw. II.*, vivens 10 *Edw. III.* =
 |
 Robert de Insula, ob. 14 *Edw. III.* John de Insula, ob. 29 *Edw. III.* = Matilda
 |
 Robert de Insula. — *Esch.* 38 *Edw. III.*, No. 19. Elizabeth married William de Aldeburgb.

LISLE OF RUGEMONT.—B. B. IN COLL. ARM. 553.

Robert de Lisle of Rugemont, in the county of Bedford. = Rose, sister to John de Wahul.

Robert of Rugemont, Rampton, Wilburham, = Alice, dau. of Robert or Henry, the second
Cottenham, &c., &c. son of Warine Fitz-Gerald.

Warine of Rugemont. = Alice, daughter and heir of Fulke de Breant.

Warine of Kingston = Alice, sister and heir to Robert* of Rugemont, Camelton, Harewood, = Margaret, dau. of
Lisle, co. Berks. Henry Tyes, of Chilton. wood, Wilburham, &c., 7 Edw. II. Peverel.

Gerard. = Elizabeth dau. of John le other sons. John of Rugemont, Harewood, = Matilda, dau.
Strange of Blackmere. &c., K. G., 28 Edw. III. of

Warine, son = Margaret, daughter and heir of Thomas Robert of Rugemont, and = ... William of Ca-
of Gerard. Pipard, (Dugdale says William Pipard.) Harewood, 32 Edw. III. melton, s.p.†

Gerard, ob. vi. pat. covenanted by Margaret, mar. first, William of Wil- Elizabeth, mar. Wm. De
his father to be married to Anne Berkeley; secondly, Hubert‡ burham, ob. 1 Aldeburgh, of Harewood,
dau. of Sir Michael De la Pole. St. Quintin. Hen. VI. (by gift of Robert Lisle.)

* Robert de Lisle claims Free Warren by charter of king Henry, proavus Edw. III., who gave to Warren Fitz-Gerald, ancestor of the said Robert de Lisle, from which Warren it descended to Henry, as son and heir; and from the said Henry to Warren, as his son and heir; and from the said Warren to Robert, his son and heir; and from the said Robert enidam Alicie *ut fil. et hæres*; and from the said Alicia enidam Warren *ut fil. et hæres*; and from the said Warren to Robert, who now claims as son and heir. Placit de quo warranto temp. Edw. III., pro manerio de Camelton. Bedf.

+ *Ide Rot. Parl.*, *Fol. iii.*, p. 310.—The petition of John Wyndesor, respecting the manors of Rampton, Cottenham, and Westwyk; William, brother of Robert de Lisle, and William, son of the said Robert. The pedigrees of this family are very discordant to each other, as may be seen in Chauncy, Blomefield, and other county historians, as well as in the College of Arms.

‡ This is certainly wrong as she died *vitâ* Lord Berkeley.

LISLE OF KINGSTON LISLE.—(31 EDW. III.)

GERARD DE LISLE, son and heir of Warine de Lisle, by Alice, sister and heir of Henry Tyes, (which Warine was hung at York for being concerned in the insurrection of the earl of Lancaster, temp. Edw. II.) had summons to parliament the 31 Edw. III., as *Gerard de Insula*, but without any additament of *Kingston Lisle*, and he died without

being ever again summoned to parliament, though he lived several years after. He married Elizabeth, the widow of Edmund de St. John,* by which lady he left^a

* Dug. Bar.,
vol. i., p. 738.

Warine de Lisle his son and heir, who had summons to parliament from the 43 Edw. III. to the 5 Ric. II., as *Warine de Insula*, but also without any additament of *Kingston Lisle*. He died, according to Dugdale,† 28 June, the 6 Ric. II., leaving by Margaret his wife, daughter of William Pipard,‡ Margaret his daughter and heir, then the wife of Thomas lord Berkely, twenty-two years of age, Gerard his son having predeceased him s.p.

† Ibid.

‡ Ibid.

Margaret de Lisle, by Thomas lord Berkeley, had a daughter and heiress Elizabeth, who became the wife of Richard Beauchamp, earl of Warwick, by whom she had three daughters and coheirs, of which,

Margaret was second wife of John Talbot, first earl of Shrewsbury; Eleanor married, first, Thomas lord Roos, and secondly, Edmund, duke of Somerset; and Elizabeth, the other daughter, married George Nevil lord Latimer; between whose descendants and representatives, the barony of Lisle commencing with the writ of summons of the 31 Edw. III., (if it created any) may be presumed to be now in abeyance; which representatives in 1822 were Sir John Shelley Sidney, claiming to be heir of the body of Margaret, who married John Talbot, earl of Shrewsbury.

The coheirs of Eleanor lady Roos, viz: the then earl of Essex; Sir Henry Hunlocke, bart.; and the baroness de Roos.

The coheirs of Elizabeth lady Latimer, viz: the duke of Northumberland; Wincomb Henry Howard Hartley, esq.; Sir Charles Knightley, bart.; Grey Jermyn Grove, esq.; George William Villiers, esq.; the earl of Abingdon; Sir Francis Burdett, bart.; William Fermor, esq.; and lord Rollo of Duncrub, N. B., a peer of Scotland.

TALBOT LORD LISLE.—(22 HEN. VI.)

JOHN TALBOT, son and heir of Margaret, second wife of John, first earl of Shrewsbury, before mentioned, eldest daughter and coheir of Warine, the last baron Lisle, was by one of the most extraordinary patents on record, created baron Lisle, 26 July, 22 Hen. VI., limiting that dignity to the said John and to his *heirs and assigns* for ever; being tenants of the manor of Kingston Lisle, which manor his mother had resigned into his possession.

Concerning this manor it is recited in the patent as a fact, “That Warine de Lisle and his ancestors, by reason of the lordship and manor of Kingston L’Isle, had from time,

^a Dugdale says he married her the 28 Edw. III., and died the 34, leaving Warine his son of *full age*, who, if so, must have been by a former wife.

whereof the memory of man was not the contrary, the name and dignity of barons and lords L'Isle, and by that name had seat in parliament, &c., as other barons of the realm had ;” an assertion perfectly untrue, for the first writ of summons on record in which the name of *de Insula* or L'Isle appears, is that of the 22 Edw. I. to *John de Insula*, who was of the Isle of Wight, and from thence summoned, and his son John to the 8 Edw. II.

After him, the next person of the name summoned was Robert de Insula, or L'Isle, the 5 Edw. II., whose son John, and grandson Robert, are specially designated in their writs as *de Rubeo Monte* ; and the first Gerard de Lisle and his son Warine are only summoned by their respective names, without any additament of *Kingston L'Isle* ; thus clearly showing that none of the ancestors of Warine had ever had seat in parliament by reason of the lordship and manor of Kingston L'Isle as recited in the said patent, an assertion satisfactorily proved by the lords' committee, on the dignity of a peer of the realm, in their third report, to have been entirely without foundation, for the said manor had never been holden in capite of the crown, but was holden, as mentioned in the *Liber Fœdorum*,* by the then Warine de L'Isle or Robert de L'Isle, of *Rugemont, or Rubeo Monte*.

* Testa de Nev., Oxon. & Berks.

This patent therefore conferring a barony of L'Isle on John Talbot, must be looked upon as a new creation, distinct from the barony acquired by Gerard de L'Isle, father of Warine, by virtue of his writ of summons the 31 Edw. III.; and in that respect, not to be a determination of the abeyance among his eventual coheirs before mentioned.^a For chief-justice Coke says,† that the letters patent of Hen. VI. to John Talbot, that *he and his heirs, lords of the manor of Kingston L'Isle, should be thenceforth barons and lords L'Isle, was a fee simple qualified in the dignity, determinable upon his or their ceasing to be lords of the said manor.*

† Inst. 27 a. ante SS. 45.

Sometime after this creation of baron L'Isle, the said John Talbot was advanced to the title of viscount L'Isle, with remainder to the heirs male of his body. The 23 Hen. VI. he had summons to parliament by writ directed “*Johanni Talbot de Lisle, Chev.* ;”‡ and from thence to the 29 Hen. VI., but without any additament of *Kingston L'Isle*. The 31 Hen. VI. he was summoned as viscount L'Isle,§ but in the unfortunate battle of Chastillon he was there slain with his father, the brave and aged earl of Shrewsbury, leaving

‡ Dugd. Lists of Summ.

§ Ibid.

Thomas Talbot his son and heir, second baron and viscount L'Isle, who lost his life in a skirmish between him and lord Berkeley, and their followers, at Wotton-under-Edge, in the county of Gloucester. Not having any issue his two sisters became his coheirs, viz., Elizabeth, first wife of Sir Edward Grey, second son of Edward lord Ferrers, of Groby ; and Margaret, who married Sir George Vere. The viscounty of L'Isle became

^a Warine de L'Isle, father of Gerard, and having married the heiress of the barony of Tyes, it is more probable his son Gerard had summons to parliament, as heir thereto, rather than because he had the manor of Kingston L'Isle. The writ was personal, without any allusion to any ancestral right of succession, and therefore leaves the point open.

extinct for want of issue male, but the barony it is presumed became suspended; for though Elizabeth was possessed of the manor of Kingston L'Isle, she was not sole heir of her brother, or father, and had not in her the constituent qualifications necessary to entitle her to the barony. Upon the death of her sister Margaret lady Vere, s.p., she then became sole heir, and acquired all the qualifications recited in the patent granted to her father.

GREY, BARON AND VISCOUNT L'ISLE.

SIR EDWARD GREY having married (as before mentioned) Elizabeth, eventually sole heir to her brother Thomas and father John Talbot, barons and viscounts L'Isle in the 15 Edw. IV., was created baron L'Isle by a charter, which *mutatis mutandis* contains the same introduction and recital as the patent granted by king Hen. VI. to John Talbot, habendum to him and his heirs of the body of the said Elizabeth begotten, but without the words *assignatis suis*, &c. He had summons to parliament the 22 Edw. IV., as *Edward Grey de L'Isle*.* The 1 Ric. III. he was created viscount L'Isle, and the same year had summons to parliament by that title,† as also in the 1, 3, and 7 Hen. VII.

* Dugd. Lists
of Summ.
† Ibid.

John Grey, his only son and heir, second baron and viscount L'Isle of the Grey creation, died without issue male, but left an only daughter and heir Elizabeth, so that the viscounty became extinct. She, however, being heir to her father, and also tenant of the manor of Kingston L'Isle, may be considered to have had the barony devolved upon her. She was affianced to

BRANDON, VISCOUNT L'ISLE.

CHARLES BRANDON, (afterwards duke of Suffolk) who was thereupon created viscount L'Isle, 15 May, 1513, with remainder to the heirs male of the body of the said Elizabeth;^a but she being then of too tender years for marriage, refused upon coming of age to marry him: the patent was cancelled. She afterwards married Edward Courtenay, earl of Devon, but died s.p., circ. 1526, leaving her aunt Elizabeth, her father's only surviving sister, her heir, who married, first, Edmund Dudley; and secondly, Arthur Plantagenet.

PLANTAGENET, VISCOUNT LISLE.

ARTHUR PLANTAGENET was a natural son of king Edward IV. by the lady Elizabeth Lucy, and after the surrender of the patent of viscount by Charles Brandon, was by king

^a "Sibi et hæredibus masculis de corpore Eliz. Grey, vicecomitessæ Lisle per prefatum Carolum procreatis 15 May, 5 Hen. VIII.—(*Lisle case*.)

* Vide Banks' Dorm. et Ext. Baron., v. ii.

Hen. VIII. created viscount Lisle, with ^a remainder to the heirs male of his body by the said Elizabeth his wife; but dying without male issue in 1541, the viscounty became extinct. He had several daughters,* but although they were heirs to him, as their father, they were not so as to their mother in the barony of Lisle, she having male issue by her first husband Edmund Dudley.

By an indenture between this Arthur and Elizabeth his wife of the one part, and several other persons of the second and third part, dated 17 Nov., the 14 Hen. VIII., reciting a recovery against the said Arthur and his wife, of the manor of Kingston L'Isle, and divers other lands, it was declared that the recovery should be to the use of the same lady Elizabeth, for her life; and, after her death, as to Kingston L'Isle, and some other lands, to the use of John Dudley, her son and heir apparent, by her first husband, and to the heirs of his body. The limitation of the viscounty of L'Isle, made to the heirs male of the body of Arthur viscount L'Isle, by Elizabeth his wife, seems to infer that he thought himself no ways entitled to the barony of L'Isle, being seised only of that manor jure uxoris; which, by this settlement on her decease, was to descend to her son, by her former husband; and, consequently the title and honour of a baron would accompany it. Thus it is probable the creation of the viscounty was made, by this method of entail, to satisfy all parties.

DUDLEY, VISCOUNT LISLE.

† Dugd. Lists of Summ.

IN 1541, shortly after the decease of Arthur Plantagenet, John, son and heir of Elizabeth, by her first husband, Edmund Dudley, was by king Hen. VIII. created viscount L'Isle, and by that title summoned to the parliament the 16th of January, the 33 Hen. VIII.,† as also to the parliaments of the 35, 37, and 38 Hen. VIII., with the addition to his name of *Magno Admirallo Angliæ*. In the 1 Edw. VI. he was created earl of Warwick; and by that title called to the first parliament of Edw. VI., 4 Nov., 1547, with the addition to his name of *Magno Camerario Angliæ*. Finally, he was created duke of Northumberland by Edw. VI.; and by that title summoned to parliament the 5 and 6 Edw. VI.: but, after all his great advancement to honours, he was, on the accession to the crown by Queen Mary, taken, beheaded, and attainted, and thereby all his honours forfeited.

It is here to be observed, that some time before his death, by indenture 27 March, 29 Hen. VIII., being then Sir John Dudley, he bargained and sold to William Hyde, esq.,

^b Sir Harris Nicolas in his Synopsis, (*vol. i., p. 383*), states that his creation was the 26 April, 1533; but by Dugdale's Lists of Summons, his name appears in the writ of the 14 Hen. VIII., 1522, and again the 3rd of Nov., 1529, the 21 Hen. VIII.

and his heirs, the manor and lordship of Kingston L'Isle; which Arthur Plantagenet, then lord L'Isle, held for term of his life. From this William Hyde, the said manor and lordship descended in lineal succession to John Hyde, esq., who died seised thereof cire. 11 May, 1745; and, his widow in 1749 sold the same to Abraham Atkyns, of Clapham, in the county of Surrey, esq, possessor thereof, in 1790. In behalf of this possessor a very able and interesting case was compiled by the Hon. Hume Campbell, by which it is shown that Mr. Atkyns was tenant of the manor and lordship of Kingston L'Isle under the singular patent granted by king Hen. VI. to Talbot as *assignee*, but then he had not the other co-qualification of *heir*, the joint terms being as supposed, necessary to constitute a right to the barony in virtue of the possession of the manor and lordship.

If no right as assignee vested in Mr. Atkins, no right can vest in the heir who is not possessed of the territory, the possession and heirship being made by the patent co-ordinate and inseparable.

Dudley, duke of Northumberland had eight sons, whereof Henry died before him; John the second son had summons to parliament the 6 Edw. VI., as lord L'Isle and deceased in his lifetime, and Ambrose and Robert the third and fourth sons became two of the greatest minions of court in their day, which

Ambrose was restored in blood by Queen Elizabeth, and was first created baron L'Isle, in 1561 (42 Eliz.), and afterwards earl of Warwick,* but he died s.p. in 1589, when all his honours became extinct; but his brother Robert Dudley, earl of Leicester, was his heir, who dying as reputed at the time, without legitimate issue, his sister Mary, who married Sir Henry Sidney, was his heir,† that is to say his eldest sister, for the duke of Northumberland his father had five daughters, viz., the said Mary, Margaret, Catherine who married Henry, earl of Huntingdon s.p., Frances, and Temperance.

* Banks's
Dorm. & Ext.
Baron., v. iii.

† Ibid.

SIDNEY, VISCOUNT LISLE.

ROBERT SYDNEY, second, but eldest surviving son of^a Sir Henry Sidney, by Mary, sister to Robert Dudley, earl of Leicester, and his heir if he died without legitimate issue, and heir also of Margaret, countess of Shrewsbury, the eldest great-granddaughter and co-heir of Warine lord L'Isle, was first created lord Sydney, of Penshurst, by king James I., afterwards advanced to the title of viscount L'Isle, and lastly created earl of Leicester. From him descended Joceline Sydney, the seventh and last viscount and earl of his family,‡ who deceased without legitimate issue, (as supposed) whereby his peerage ‡ Ibid.

^a The much celebrated sir Philip Sydney was the eldest son, but died without issue male leaving an only daughter Elizabeth, who married Roger, earl of Rutland, which Roger died s.p., in June 1612.—(Vide Banks's *Dormant and Extinct Baronage*, vol. iii.)

honours became extinct; and his two nieces, daughters of his eldest brother, the Hon. Thomas Sydney, became his coheirs; of these, Mary married Sir Brownlow Sherard, bart., but died s.p.; and Elizabeth married William Perry, of Turville Park, in the county of Buckingham, esq., and had issue William Sydney Perry, Algernon Perry, Mary, Elizabeth Jane, Anne, and Frances; of these daughters, Elizabeth Jane became the sole surviving one, and heiress of her mother, and married Sir Bysshe Shelley of Castle Goring, in the county of Sussex, bart., to whom she was second wife, and by him had issue a son John, who took the name of Sydney as heir to his mother, which

SHELLEY SIDNEY, CLAIMANT TO THE BARONY OF LISLE.

SIR JOHN SHELLEY SYDNEY, in 1822, claimed to be heir of the body of Margaret, countess of Shrewsbury, and in such capacity, prayed by petition to his majesty that he would exercise the grace of the crown by terminating the abeyance in his favour. The petition, upon the attorney-general's report was referred to the Lords' Committee for Privileges, before which, much evidence was entered into. It is however here to be observed that the case of Sir John did not notice two very important points which were requisite to be explained, viz: first the legitimacy of Sir Robert Dudley, son and heir of John Dudley, duke of Northumberland; and secondly, the legitimacy of John Sidney, claiming to be the legitimate son of Joceline Sidney, last earl of Leicester.*

* Banks's
Dorm. & Ex.
Bar. vol. iii.

With regard to the first point, the legitimacy of this eminent person was strongly contended against by his adversaries, but it was afterwards so fully and clearly established, that king Charles I., as a compensation for the great injustice which had been done him, advanced his widow Catherine, daughter of Sir Thomas Leigh, bart., to the rank of duchess of Dudley,† and her daughters to the distinction of duke's daughters, which honours were confirmed by king Charles II. But with respect to this lady, Sir Robert Dudley, her husband, who had retired into Italy, where by the emperor Ferdinand II, he was created a duke by the title of Northumberland, to be used by him and his heirs through the dominions of the sacred empire, alleged his marriage with her to have been illegal by the canon law, he having had carnal knowledge of her during the life of his first wife.

† Ibid.

On his retirement into Italy he took with him a very beautiful lady, the daughter of Sir Robert Southwell, of Wood Rising, in Norfolk, whom he married, and had by her many children; of which, Charles the eldest son, bore like him the title of duke of Northumberland in that country.^a

^a Charles Dudley, the titular duke of Northumberland, was found guilty in 1658 of forging an entry of marriage in the Register Book of East Greenwich, in Kent, and was fined two hundred marks. The dictum of chief-justice Glynn is recorded in Siderfin's Reports, part. 2, p. 71.

In reference to the second point of Mr. John Sydney, it appears by a trial at bar, on a writ of right and proceedings, before the grand assize in the Court of Common Pleas at Westminster, the 11 February, 1782, for the manor of Penshurst Place, park, and premises in the county of Kent, that he founded his pretensions of being son and heir of Joscelyne, seventh and last earl of Leicester, deceased, who never having being divorced from his wife, with whom during his life he had much legal controversy, he, the demandant, was in the eye of the law legitimate son and heir of the said earl Joscelyne. But having made an error in his claim by alledging that the earl his father was seised in fee, instead of tenant for life, with remainder over to his issue male, (which was the fact), the tenant being in possession, had in the opinion of the court the better right, and therefore the jury, under the direction of the judges, gave their verdict for the tenant Mrs. Perry, the sister of earl Joscelyne.*

* Printed case,
penes auct.

† Gaz. 9 Jan,
1835.

Warine de Lisle, oh. 14 Edw. II. — Alice daughter of Henry and sister and heir to Henry de Teves her brother.

Gerard de Lisle, summoned to parliament 31 Edw. III., ob. 34 Edw. III. ¶.....

Gerard de Lisle, summoned to parliament 31 Edw. III., ob. 34 Edw. III.

Warine de Lisle, summoned to parliament 43 Edw. III., ob. circ. 6 Ric. II. = Margaret, dau. of Wm. Pipard.

Gerard de Lisle, ob. s.p. Margaret, sole daughter and heir. — Thomas Lord Berkeley.

Elizabeth Berkeley, sole daughter and heir. — Richard Beauchamp, Earl of Warwick.

1. Margaret, eldest dau. and cob.	2. Alianor, mar. 1st Thomas lord Ros; 2nd Edmund, Duke of Somerset.	3. Elizabeth, mar. George Nevil lord Latimer.
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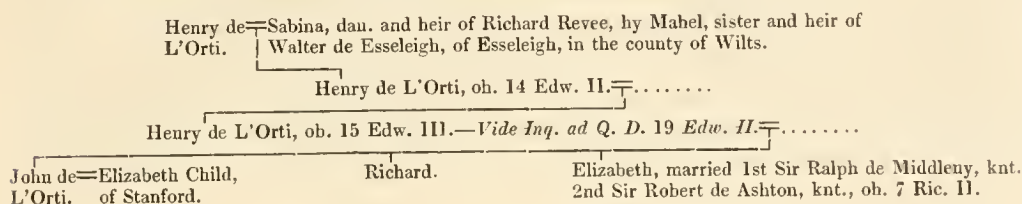
John Talbot, created Baron and Vicount Lisle, slain at the battle of Chastillon, temp. Henry VI.

Thomas Talbot, 2nd Baron and Viscount Lisle, ob. s. p., 1469.	Elizabeth Talbot, sister and coh.	Sir Edward Grey, cr. Viscount Lisle, ob. 7 Hen. VII.	Margaret Talbot, sist. & coh., m. Sir George Vere, ob. s. p.
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John Grey, 2nd Viscount, ob. 1504.	— Muriel, dau. of Thomas, Duke of Norfolk.	Alice, mar. John Willoughby.	1. Edmund Dudley.	— Elizabeth.	2. Arthur Plantagenet, created Viscount Lisle, ob. 1541.	Muriel, married Edward Stafford, Earl of Wiltshire.
	<i>a</i>			<i>b</i>	<i>c</i>	

subsequently contained in the writ of summons the 19 Edw. II., 1325, which provided he deceased in 1321, leaves it to be inferred that the last mentioned writ was addressed to Henry his son, who is unnoticed in Dugdale's account, that author making him to be succeeded by John his son and heir who never had summons to parliament, and died leaving issue two daughters, viz., Sibyl who married Sir Lawrence de St. Martin, and Margaret who wedded Henry de Esturmie,^a in whose representatives, sir Harris Nicholas states* *the barony is now in abeyance*.

In Collinson's Somerset† the following pedigree of De L'Orti is given.



* Peerage Synopsis, vol. i., p. 389.
† Vol. iii., pp. 50 & 130.

LOVAINE OR LUVEINE, (45 HEN. III., AND 22 EDW. I.)

In the time of Hen. II., Joceline de Luvein held five knights' fees and one half in the county of York,‡ of whom no mention is made by Dugdale.

In the 2 of king John, Godfrey de Lovaine (called brother to Henry, duke of Brabant) gave 400 marks for the land, and widow of Ralph de Cornhill^b whose name was Delicia, daughter and heir of Robert de Hastings, by his wife daughter and heir of William de Windsor, and by this marriage acquired the manor of Estaines holden by barony.

Matthew, son and heir of Godfrey de Lovaine, was one of those barons summoned to a parliament convened to meet in London, by writ dated the 18th of October, the 45 Hen. III.;§ he died shortly after in 1261 (46 Hen. III) seised of the manor and barony of Estaines, leaving

Matthew de Lovaine his son and heir, who had summons to parliament the 22 Edw. I.,|| but was never again summoned. He died the 30 Edw. I., when

‡ Hearne's Lih. Nig. Scac. vol. i. p. 327.

§ Claus Rot. m. 3, in Dorso.

|| Dugd. Lists of Summ.

^a Collins in his peerage account of the duke of Somerset's family, recites that Roger Seymour married Maud, daughter and coheir of Sir William Esturmi, of Chadham, in the county of Wilts., lord of Wolf Hall, in the said county; whose ancestors were guardians of Savernake forest, by inheritance.—(*Vide Camden's Britannia, in com. Wills.*) The family were founders of the hospital of the holy trinity, at Easton, near Marlborough, of which, in the year 1363, and 1368, Henry son of Henry Esturmi, was acknowledged patron by the then bishop of Salisbury.

^b The said widow fined two hundred marks to the king for license to marry according to her own pleasure, but *not* Godfrey de Loveine. Godfrey however fined in *double the amount*, to marry her, and have her lands, if she could show no good reason for refusing him. In this record, she is called relict of *Ralph*, and *not* Richard de Cornhill.—(*Vide Mag. Rot. 2 John. Rot. 3, 6, Essex and Herts.*)

Thomas de Lovaine was only twelve years of age; with whom Dugdale closes his account of the family, by reason, he observes neither he, nor his descendants had summons to parliament.

* Morant's
Essex, vol. i.,
p. 466.

This Thomas de Lovaine had a son John, who died in 1347,* leaving two daughters, viz., Alianore and Isabel, who died in 1359, s. p., when Alianore, the sole surviving daughter and heir carried her great inheritance to her husband, Sir William Bouchier; who, by her, was father of William Bouchier, earl of Eu, in Normandy; who, by Anne, daughter of Thomas Plantagenet, duke of Gloucester, had issue Henry, who was first created viscount Bouchier, and afterwards earl of Essex, by king Edw. IV.; in whose coheirs general the present duke of Chandos, and the marquess of Townshend, the barony of Bouchier created by the writ of summons of Robert de Bouchier, the 16 Edw. III.,† may be considered vested. But with regard to any barony of Lovaine, there does not appear any ground maintainable for its assumption, though it has frequently been styled as one pertaining to the descent of the said coheirs, and by the late marquess of Townshend was ranked with his barony of Ferrers of Chartley.

† Vide Bour-
chier.

LOVEL, OR LUEL, OF KARI.—(22 EDW. III.)

WILLIAM the son of Ascelin de Gouel, and grandson of Robert, lord of Breherval and Yvery, in Normandy, assumed the name of Lovel, and was lord of Kari and Harpetre, in the county of Somerset, and other great possessions in other counties.^a From him descended

‡ Dug. Bar.,
vol. i., p. 558.

Richard Lovel, who, the 22, 23, and 24 Edw. III. had summons to parliament, but died the year following. By Muriel his wife, (said by Dugdale‡ to have been the daughter of an earl of Douglas, in Scotland,^b) he had issue an only son James, who deceased in his lifetime, viz., 16 Edw. III., leaving by Isabel his wife a son Richard, then aged eight, who died under age, s. p., in the lifetime of his grandfather; and a daughter Muriel, who, surviving her grandfather, became heir to his estate, and to the barony of Lovel, provided the writs of the 22, 23, and 24 Edw. III. created any such descendable honour. At the decease of her grandfather she was aged nineteen, and then the wife of Nicholas St. Maur; whose heirs general are the coheirs in the barony of St. Maur, and Zouche of Haryngworth.§

§ Vide St.
Maur & Zouche
of Haryng-
worth.

^a A very interesting work, entitled the History of the House of Yvery, in 2 vols, 8vo., has a most elaborate account of the origin and connections of this family; a great portion of which is incorporated in Collins's Peerage, under the article of Perceval, lord Lovel, and Holland: subsequently advanced to the dignity of earl of Egmont.

^b No such marriage is mentioned in any of the Scotch Peerages of the earls of Douglas. But, a record, viz., Pat. Rot., 4 Edw. II., m. 4., recites, "viz: 'Rex concessit Ric'o Lovel, in generali tallio maner' de Wynefrith Eagle, in excambio pro maner' de Veteri Rokesburgh quod fuit Muriellæ uxoris ejus, filiæ & hæredis Joh'n'is Soules, pro servic' deb' revertere Regi.'"

LOVEL OF TICHMERSH.—(25 Edw. I.)

THIS branch, though a younger one to that of Kari, yet had summons to parliament long before it.

John Lovel descended from William Lovel, lord of Minster Lovel, in the county of Oxon, and Tichmersh in the county of Northampton, who was brother of Henry, brother and heir of Ralph, eldest son of William of Kari, had summons to parliament in the 25 and 27 Edw. I., as *John Lovel*; and afterwards as *John Lovel de Tichmersh*, from the 28 Edw. I., to the 4 Edw. II.; at whose coronation, by that description, he was summoned to attend. In the parliament at Lincoln, 29 Edw. I., he was one of those barons who affixed their signature and seals to the letter then written to the pope, being designated *Johannes Lovel Dominus de Berekingg*. He was twice married: his first wife was Isabel de Bois, by whom he had a daughter, who married William lord Zouche, of Haryngsworth; his second was Joane, daughter of Robert lord Roos; and by her he left, at his decease the 4 Edw. II.,*

* Esch. n. 33

John Lovel his son and heir, who had summons to parliament from the 6 to the 8 Edw. II., when he died.† He married Maud, sister and heir to Edward lord Burnel, and had issue a daughter Joane, called by Dugdale his heir, aged two years,‡ who died young. At this part, Dugdale rather abruptly breaks the thread of narration, proceeding to mention a John Lovel, who the 8 Edw. III. was in an expedition into Scotland; but who this John was the son of, he does not in the least make allusion. He has before stated that John lord Lovel had died the 8 Edw. II., leaving a daughter and heir Joane very young: he does not then assume a first wife, or any son; so that who was this John, the military man of the 8 Edw. III., is left to surmise. This, by Mr. Parkins, is apparently explained,§ who states him to be the son of Thomas Lovel, (by Maud his wife); but how nearly allied to John, he does not mention.

† Ibid., 8 Ed. II., n. 49.

‡ Dugd. Bar. vol. i., p. 558.

§ His. of Norf. vol. x., p. 363.

In Anderson's History of the House of Yvery, it is asserted that John Lovel, by Maud Burnel, left issue, John his son and heir, *aged two years*; which is the *same age* which Dugdale has attributed to Joane his daughter, called by him also, *his heir*:^a whether son of Thomas, or of John, the said

John Lovel was never summoned to parliament, and died the 21 Edw. III., having had by Isabel his wife (named by some as a daughter of William lord Zouche) two sons, both named John; of these the eldest

John lord Lovel was only six years old at his father's death, and died in his minority the 35 Edw. III. s.p., leaving his brother John his heir, aged nineteen, which

^a It seems most likely that the statement in Dugdale, that Joane was *daughter and heir, aged two years*, was an error of the press for *John, son and heir, aged two years*. By the fine levied by Maud his widow, and John de Handlo her second husband, it appears she had a son John by her first husband John Lovel.

John lord Lovel attaining his majority the 37 Edw. III., had livery of his lands, his homage being respited, and was afterwards a person of great note, and was elected a knight of the noble Order of the Garter. He had summons to parliament from the 49 Edw. III. to the 8 Hen. IV., and probably died the next ensuing year; his will being dated the 12th of September following. His wife was Maud, granddaughter and heir of Robert lord Holland,* by whom he left issue,

* Vide Holland.

John lord Lovel, his son and heir, who had summons from the 11 Hen. IV. to the 2 Hen. V., inclusive, in which year he died, leaving by Alianora his wife, daughter of William lord Zouche, of Haryngworth, William his son and heir, which

William lord Lovel had summons from the 3 to the 33 Hen. VI., as *William Lovel, Chiv.*² without the additament of *Tichmersh*.^a He married Alice, daughter, and heir eventually, of John lord D'Eincourt,† by Johanna, daughter and heiress of Robert lord Grey of Rotherfield, by which heiress he had issue, John his successor; William who became lord Morley, jure uxoris;‡ and another son Robert.^b He died the 33 Hen. VI., leaving Alice his wife surviving.

† Vide Deincourt.

‡ Vide Morley

John the next lord Lovel, had summons from the 38 Hen. VI. to the 2 Edw. IV., as *John Lovel, Chiv.*², and died the fourth of the same reign. His wife was Joane, sister and heir of William viscount Beaumont,§ by whom he had a son Francis, his successor, and two daughters, eventually coheiresses to their brother, viz: Joane, who married Sir Brian Stapleton; and Fridiswide, who married Sir Edward Norris, ancestor to the present earl of Abingdon.

§ Vide Beaumont.

Francis, next lord Lovel, had summons the 22 Edw. IV., as *Francis Lovell de Lovell Chev.*²; and the 1 Ric. III. was created viscount Lovel, and summoned to parliament by that title. He was a strenuous supporter of that king, and fought with him at the fatal battle of Bosworth, where Richard was slain; he himself however escaped with life, and having got out of the kingdom, remained abroad for some time; but afterwards returning into England with John de la Pole, earl of Suffolk, and a body of soldiers under Martin Swartz their commander, he was slain as it is generally represented|| at the battle of Stoke, the 3 Hen. VII., where their army was defeated. Being thus dead and attainted, all the baronial honours which were concentrated in him became forfeited, and the viscounty extinct, he dying s.p.

|| Vid. Banks's Dorm. & Ext. Bar., vol. ii.

Among the baronies, that of Burnell has been set down as one; but on referring to the Burnell title, it will be seen that Edward Burnell, who was summoned to parliament

^a Though summoned to the 33 Hen. VI., inclusive, he is said to have obtained the 24 Hen. VI. a special exemption from attending parliament (in consideration of his services in foreign parts, and infirmity of body) for the term of his life.—(*Anderson's House of Yvery.*)

^b He died s.p. There was another son Henry who was buried in the Crutched Friars, of whom nothing is known.

from the 5 to the 8 Edw. II., died s.p., and therefore if any barony was created in him by virtue of these writs, the same became extinct upon his death, and consequently his sister Maud, although his heir to lands, could not take any barony to hand down to her issue by John Lovel her husband.

THOMAS LOVEL.—(16 EDW. III.)

THOUGH not mentioned by Dugdale in his Baronage, yet in his Lists of Summons the name of Thomas Lovel is noticed as being summoned to attend a great council to be holden at Westminster the 16 Edw. III.,* but never after; who he was does not appear, nor is his name contained in Anderson's House Yvery.

* Dug. Lists
of Sum.

John Lovel, who died the 15 Edw. I., married Maud, daughter and heir of ——— Sydenham, and by her acquired the manor of Tichmersh, and had issue John his eldest son, thereafter summoned to parliament; and Thomas, who had the manor of Tichwell for his portion, and is said to have borne *a Bend Azure* over his coat for a difference.

LUCAS.—(20 CAR. I. AND 15 CAR. II.)

ALTHOUGH this peerage has not its origin from writ of summons, but from a special patent, yet the limitations are so analogous to the course of descent of a barony by writ, that it may not be irrelevant to notice it here.

Sir John Lucas, a distinguished officer under Charles I., during the civil war, was in consideration of his eminent services created baron Lucas of Shenfield, in the county of Essex, the 20 Charles I., with remainder, in default of issue male, to his brothers Sir Charles, and Sir Thomas Lucas respectively, and their issue male.^a

This lord Lucas married Anne, daughter of Sir Christopher Nevill, of Newton St. Lo, in the county of Somerset; by whom he had an only daughter Mary, who became the wife of Anthony Grey, earl of Kent. Thus, not having any issue male, and his brother Sir Charles having died s. p., he obtained other letters patent, dated the 15 Car. II.: whereby his said daughter Mary was created baroness Lucas, of Crudwell, in the county of Wilts, with the singular and unprecedented remainder of the barony to her heirs male, by the earl of Kent; failing which, the title not to be suspended, but to be enjoyed by such of the daughters and coheirs, if any shall be, as other indivisible inheritances by the common law of this realm are usually possessed. He died in 1670, s.p.m.; and was succeeded in the barony of Lucas of Shenfield by his nephew.

^a He was elder brother of Sir John the baron, but born before marriage.

Charles Lucas, son and heir of his brother Sir Thomas Lucas ; he married Penelope, daughter of Francis Leke, earl of Scarsdale, and had issue two daughters his coheirs, whereof ——— married the honourable ——— Carey; and Penelope married Isaac Selfe, esq., and had two sons Lucas, and Jacob, who both died s.p., and a daughter Anne, who married Thomas Methuen, esq., whose heir is the present lord Methuen; not having issue male, he was, on his death in 1688, succeeded by

Thomas, his brother, third lord Lucas, of Shenfield, who dying s.p.m. in 1705, the barony became extinct; but the barony of Lucas of Crudwell being a distinct creation, still remains, and has followed the course of limitation, through the heir female to the present earl De Grey.

LUCY OF COCKERMOUTH.—(14 EDW. II.)

RICHARD DE LUCIE, son and heir of Reginald de Lucie, lord of Egremont, in the county of Cumberland, left issue two daughters his coheirs, whereof Annabel married Lambert de Multon; and Alice wedded Alan de Multon, by whom she had Thomas de Multon, her son and heir, which

Thomas assumed his mother's name of Lucie, or Lucy, and the 16 Edw. I., had livery of the lands of her inheritance. He married Isabel, one of the daughters and coheirs of Adam de Bolteby, a great baron in Northumberland, and dying the 33 Edw. I., left Thomas his son and heir, who dying s.p. was succeeded by his brother and heir,

Anthony de Lucy, who had summons to parliament from the 14 Edw. II., to the 17 Edw. III. inclusive, in which year he died, leaving Thomas his son and heir, and a daughter Joane, who married William de Multon.

Thomas de Lucy had summons to parliament in his father's lifetime, the 15, 16, and 17 Edw. III., and from thence to the 38th of the same reign; the year following of which he died. He married Margaret the third sister and coheir of John de Multon, of Egremont, who was great-grandson of Lambert de Multon, by Annabel, daughter and coheir of Richard de Lucie, and sister of Alice de Lucie, his great-grandmother; by this Margaret he had issue a daughter Maud, and a son

Anthony de Lucy, who died shortly after him, the 42 Edw. III., but never had summons to parliament. He had issue an only daughter Joane de Lucy, who dying under three years of age, Maud her aunt, sister of her father, became her heir.

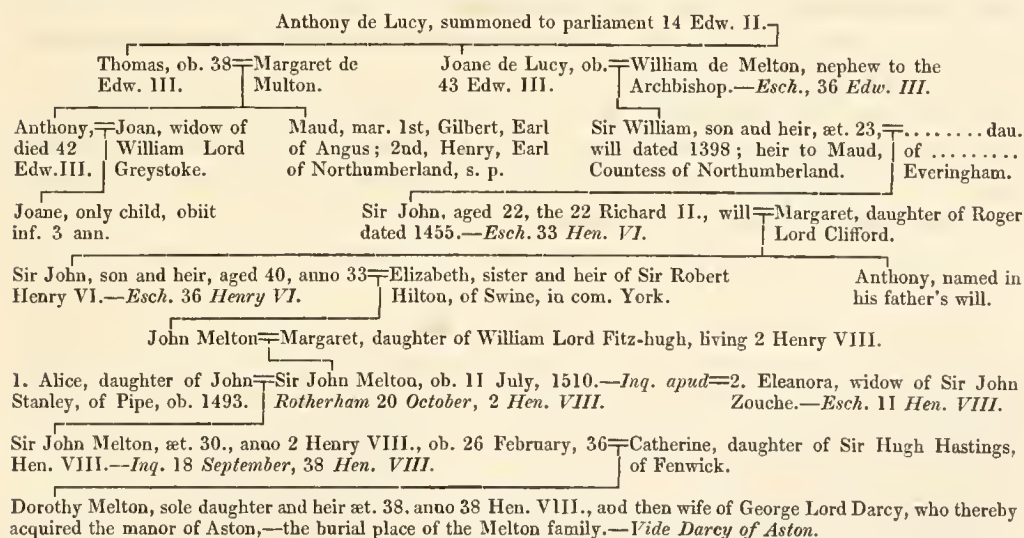
This Maud de Lucy was first married to Gilbert de Umfraville, earl of Angus; and secondly to Henry the first Percy earl of Northumberland, but had not any issue by either husband: she however by a fine levied the 8 Richard II., settled the castle and honor of Cockermouth, with other great estates upon the said Henry earl of Northumberland, and herself, and the heirs male of their two bodies; and in default thereof, on

the heirs of her own body; and in default, on Henry lord Percy, son and heir of the said earl by his first wife, and the heirs male of his body, on condition of quartering the arms of Percy with those of Lucy, and in default of issue male of Henry lord Percy, then upon other male branches of the Percy family, upon the like condition.

Dying s.p., the said estates passed into the Percy family, but the right to the barony of Lucy vested in Sir William Melton, son and heir of Joane, aunt and heir of blood to her the said Maud; and sister and sole heir to Thomas de Lucy her father.

Thus it is evident no right to this ancient barony of Lucy attaches to the Percy family, which has not a particle of Lucy blood in it, so that the assumption of it is without the slightest foundation.

Thomas Percy son and heir of Sir Thomas, who was attainted, the brother and heir of Henry the sixth earl of Northumberland, was created baron Percy, baron Poynings, Lucy, Bryan, and Fitz-Payne, with remainder failing issue male to his brother Henry, and his issue male, created earl of Northumberland, with same limitation, 1 May 1557: thus the name of these baronies merged in the earldom, till the death of Josceline the eleventh earl of Northumberland, in 1670, s.p.m., when they all became extinct, so far as they were created as before mentioned.



GEFFERY DE LUCIE.—(49 HEN. III.)

OF this name, it appears there were two very eminent branches, though probably emanating from one parent root, of which no mention is made: so that whether Reginald de

Lucie, who married Annabel, one of the daughters and coheirs of William Fitz-Duncan, by Alice, the heiress of Egremont, which barony he thereby acquired, and passed, as already mentioned, into the family of Multon, was related to Richard de Lucie, to whom king Henry I. gave the manor of Disce, in Norfolk, and who in the reign of Hen. II. was appointed to the great office of Justice of England, is uncertain. Dugdale observes,* he could never yet discover the parentage of the former, nor does he give any account of the origin of the latter. Similarly uncertain is the the parentage of

* Dugd. Bar.
v. i., p. 566.

Geffery (by some called Godfrey) de Lucie, who at the coronation of king Richard I. bore the cap of state.† He was a person of great action, and consequence in his day, and dying the 36 Hen. III., left Geffery his son and heir, which

† Ibid.

‡ Dugd. Lists
of Summ.

Geffery de Lucie, taking part with the barons under Simon de Montfort, was one of those called to the parliament summoned by the confederated lords in the king's name to meet at London the 49 Hen. III.‡ After their defeat at Evesham, he made his peace and became a loyal subject. He died circ. 12 Edw. I., leaving Elianore his wife surviving, and Geffery his son and heir, then in minority, which

Geffery de Lucie on attaining his majority, and doing his homage, had livery of his inheritance, the 16 Edw. I., and had summons to parliament the twenty-fifth of the same reign, but never after; so that Dugdale says, "*further I cannot say of him;*" nor indeed does it seem needful, as no baronial inheritance can be supposed acquired from the two writs of summons before mentioned.

In the much laboured account of the family of Lucy, which obtained the honour of a baronet's patent, and was seated at Broxburn, the connection with the aforesaid families is not shown, though a very illustrious lineage is endeavoured to be set out. The name is presumed to have been taken from some place in Normandy.

LUMLEY.—(8 Ric. II.)

THIS family, undoubtedly of very great antiquity, as elaborately set forth in Mr. Collins's Peerage,^a yet did not attain to the rank of Nobility till the time of Ric. II., when

Ralph de Lumley had summons to parliament among the barons of the realm, the 8 Ric. II., and from thence to the 1 Hen. IV. when being concerned with divers others of the nobility to restore king Richard, he was slain at Cirencester, and being attainted, his newly created honour was forfeited.

^a An anecdote is related of king James I.. that when on his route from Scotland to take possession of the English throne, he stopped at Lumley Castle, and was there entertained by the noble baron, who conducted his majesty through the long gallery containing the portraits of the Lumley family for many generations, which so surprised the king, that he exclaimed, "*He had never heard before that the surname of Adam was Lumley.*"

Thomas de Lumley, grandson of the last baron, being son and heir of John de Lumley who was restored in blood by parliament in 1411, brother and heir of Thomas (who died *infra ætatem* in 1404), eldest son of Ralph the first baron, obtained an act of parliament in 1461,* reversing the attainder of his grandfather, and was thereupon summoned to parliament from the 1 Edw. IV. to the 12 Hen. VII., about which time he deceased, 1497.

* Rot. Parl.
1 Edw. IV.,
vol. v., p 486.

George Lumley, son and heir of Thomas, was never summoned to parliament, and died in 1508, leaving

Richard Lumley his grandson and heir, (who was son and heir of Thomas Lumley, his eldest son, who died *vi. pat.*), which Richard had summons from the 1 to the 3 Hen. VIII.: to the said last writ it is noted on the roll *mortuus est, ut dicitur*.

John Lumley, his son and heir, succeeded to the barony, and had summons the 6 Hen. VIII., and in divers parliaments afterwards. In the 28 Hen. VIII. he was in that insurrection called the Pilgrimage of Grace, but on a pardon being offered, the insurgents delegated him to treat with the duke of Norfolk, the king's general, when he so well accommodated all matters with the duke, that all concerned in the rising were permitted to go home without being questioned for their offence. Thus he so far saved himself; but his son George being concerned in another insurrection with the lord Darcy and others, was apprehended, committed to the Tower, and being arraigned and found guilty of high treason suffered death the 29 Hen. VIII., *vi. pat.*

By this unhappy event the barony became forfeited to the crown, so that upon the decease of John lord Lumley, it could not descend to the children of George, who had issue a son John and two daughters, viz: Jane, who married Geffery Markham, esq., and died *s.p.*; and Barbara, who married Humphrey Lloyd, esq., hereafter mentioned.

John Lumley, son and heir of the attainted George, at the death of his grandfather was an infant; but on his petition the 1 Edw. VI., he was restored in blood by act of parliament, 1547, whereby it was enacted "*that he and the heirs male of his body should have, hold, enjoy, and bear the name and dignity, state and pre-eminence of a baron of the realm;*" whereby a new barony of Lumley was created, and limited by express words to the said John in tail male; the ancient barony remaining vested in the crown, by reason of the attainder of George his father.

This John lord Lumley, afterwards lived in great honour and public estimation: his first wife was Jane, eldest of the two daughters and coheirs of Henry Eitz-Alan, earl of Arundel, by which lady he had issue Charles, Thomas, and Mary, who died in their infancy; his second wife was Elizabeth, daughter of John lord Darcy, of Chich, who survived him *s. p.*; not having any surviving issue, the barony created in him upon his death in 1609 became extinct.

In March, 1723, the Rev. Dr. Lloyd, of Cheam, Surrey, as heir general of Barbara

Lumley, sister and heir of the aforesaid John lord Lumley, by her husband Humphrey Lloyd, esq., claimed the barony of Lumley, setting forth that he was heir general in descent from Ralph Lumley, summoned to parliament by writ the 8 Ric. II. His petition was referred to the house of lords, when their lordships resolved "that he, the petitioner, had not any right to a writ of summons to parliament as prayed by his petition."

The report of their lordships, recites, viz: "That by the act of parliament of 1 Edw. VI., a new barony of Lumley was created, and limited by express words to John lord Lumley, in tail male; and that upon his death without issue male, it became extinct."

"That the attainder of George Lumley is not reversed by the said act, but remains yet in force, and that the restitution of John lord Lumley in blood only, while the attainder remains unreversed, could not possibly revive the ancient barony, which was before merged in the crown, in consequence of that attainder."

Dr. Lloyd having been opposed by the earl of Scarborough, the heir male of the Lumley family, the following extract from the codicil to his will, dated 29 Dec., 1729, will show how he resented that opposition, viz: "I give to the right hon. the earl of Scarborough the body of Richard Lumley, knight, late viscount Waterford, in Ireland, with the leaden coffin in which the same is enclosed, now deposited in the vault, or burying place belonging to our family, in or near the parish church of Cheam aforesaid; with full liberty to transport and carry away the same, and make such use thereof as he shall think fit."

Dr. Lloyd had three sisters, Elizabeth, Susan, and Catharine; in whom, with himself, was centred the representation of the elder branch of the Lumley family.

LUTEREL.—(45 HEN. III. AND 22 EDW. I.)

* Claus., 14
Hen. III., m.
20.

ANDREW, son and heir of Geffery Luterel* by Trethesenta his wife, daughter and coheir to William Pagnel, lord of Irnham, in the county of Lincoln, by Avicia his wife, widow of William de Courcy, was one of those eminent persons, who as a baron, was summoned to attend a parliament called by the king's writ to meet in London the 45 Hen. III.† He died shortly afterwards, 49 Hen. III., and was succeeded by

† Claus. Rot.
m. 3., in Dorso

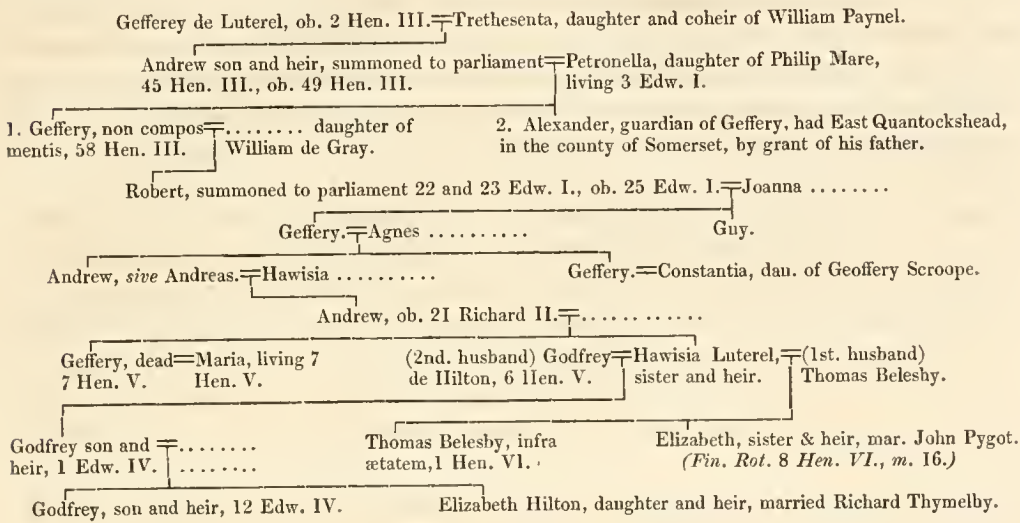
Geffery de Luterel his son and heir, who not being *compos mentis*, the custody of his person was given to Alexander his brother; and William de Gray, whose daughter he had married, had the tuition of his children.

‡ Dugd. Lists
of Summ.

Robert de Luterel, his son and heir, held Irnham per baroniam, and had summons to parliament the 22 and 23 Edw. I.; but this last parliament was prorogued, of which he was informed.‡ Shortly after this he deceased, the 25 Edw. I., being then seised of Hoton Painell, in the county of York, and of Irnham, in the county of Lincoln.

Geffery Luterel, his son and heir, never had summons to parliament, nor any of his descendants; but in 1768, a junior branch of this family,

Simon Luterel, whose sister married His Royal Highness the duke of Cumberland, brother to his majesty George III., was created baron Irnham, of Luttrellstown, in Ireland; in 1781 was made viscount Carhampton, of Castlehaven; and 1785 was advanced to the dignity of earl of Carhampton.



MALTRAVERS.—(4 Edw. III.)

THE account of this family in Dugdale's Baronage is very unconnected, as observed by Mr. Hutchins, in his History of Dorsetshire,* who says, it is not drawn up with the usual accuracy of that celebrated baronagian. But, as to reconcile differences of statement with regard to the more early descents, before any one had summons to parliament to obtain baronial rank, is not relevant to the subject of this work, it may suffice to state that

John Maltravers, and John his son, were both summoned by the distinctions of senior and junior, to attend at Carlisle, *equis et armis*, the 1 Edw. III.;† but that summons was manifestly not a call to parliament. In the 4 Edw. III., by writ dated 25 of January, John Maltravers, with the addition of junior, was summoned to a parliament to assemble at Winchester, and by a writ dated the 15 of June, the same year, John Maltravers, *without distinction*, was summoned to a great council to be holden at Oseney,‡ which seems to indicate that it was *the father*, and *not the son*, to whom that writ was addressed; and by another writ dated 23 October, the same 4 Edw. III., John Maltravers, with the addition of junior, was summoned to a parliament to meet at Westminster.§

* V. ii., p. 113

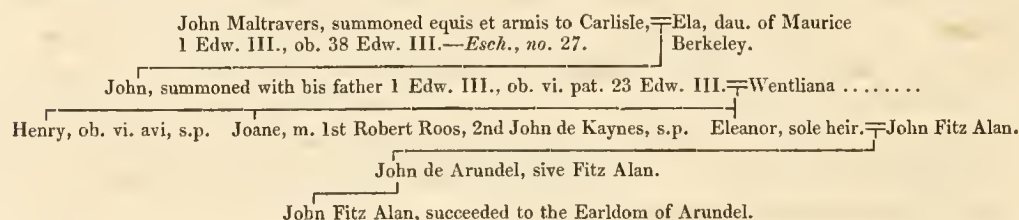
† Dugd. Lists of Summ.

‡ Ibid.

§ Ibid.

From this last mentioned period the name is not mentioned in any summons till by writ dated 15 November, 25 Edw. III., John Maltravers is summoned to a parliament to be holden at Westminster. The next mention of the name is in the 35 Edw. III., when by writ dated the 15th of March, John Maltravers is summoned with others, to attend a council at Westminster, on the troubled state of Ireland, he being possessed of lands in that country.

John Maltravers, the son, died in the lifetime of his father, the 23 Edw. III., so that the subsequent writs of the 25 and 35 Edw. III. must have been addressed to the father who did not die till the 38 Edw. III., then leaving Joane, the wife of John de Kaynes, æt. twenty-two, and Eleanor the wife of John, the second son of Richard, earl of Arundel, æt. nineteen, his granddaughters and heirs.



FITZ-ALAN, SIVE ARUNDEL, BARON MALTRAVERS.—(1 RICHARD II.)

JOHN FITZ-ALAN, having married Eleanor, the heiress of the barony of Maltavers, (if such it was) had summons to parliament the 1 Ric. II., as *John de Arundel*, and so in the 2 and 3 Ric. II., which writs were probably in consequence of his said marriage; but not having allusion in them to the Maltravers barony, they purport to have created in him a new personal barony of de Arundel, although he is frequently styled lord Maltravers.

John Fitz-Alan his grandson, eventually succeeded to the earldom of Arundel, as heir male of entail, on which event the said barony of de Arundel became merged in the earldom, but he never had summons to parliament by either dignity.

John Fitz-Alan, or de Arundel, his son and heir, the 7 Hen. VI., was summoned to parliament as "*John Arundel de Arundel, Chiv'*", without any reference to the Maltravers title. In the 11 Hen. VI. he petitioned to be summoned as earl of Arundel, and considered as earl by tenure of the castle, which was allowed, but he was never summoned after, either as a baron, or an earl. He died in 1434, and was succeeded by his son

Humphry, who died shortly after, in 1437, s.p., and was succeeded by his uncle William, who died in 1487, leaving Thomas his son and heir, which

Thomas earl of Arundel had summons to parliament in the lifetime of his father, by writ, "*Thomæ Arundel de Mautravers Militi*," in the 22 Edw. IV., the 1 Ric. III., and the 1 Hen. VII., being the first connection of the name of Arundel with that of Maltravers. He died in 1524, leaving

William Fitz-Alan, earl of Arundel, his son and heir, who died in 1543, having had issue Henry his son and heir, who, in his lifetime had summons to parliament from the 25 to the 35 Hen. VIII., as "*Henry Fitz-Alan de Matravers*. This

Henry having succeeded his father in the earldom of Arundel, was the last earl of his name and family. He died in 1579, leaving only female issue, two daughters, who were his coheirs: of these, Joane married John lord Lumley, and had two sons and a daughter, who died in their infancy; Mary the other daughter and coheir married Thomas Howard, fourth duke of Norfolk; and, having by the failure of issue from her sister Joane, lady Lumley, become sole heir of Henry earl of Arundel, and baron De Arundel, de Maltravers, she carried the earldom and that barony into the Howard family.^a

Thomas duke of Norfolk being afterwards beheaded and attainted, all his honours became forfeited; but the earldom of Arundel, annexed to the tenure and possession of the castle, with the barony of Arundel de Maltravers, belonging to the inheritance of his wife, descended to her son and heir

Philip Howard, who thereupon became earl of Arundel. He was attainted in 1590, but was not executed, and died a prisoner in the Tower.

Thomas, son and heir of Philip, was restored in blood to all such honours as his father had enjoyed; and likewise as earl of Surrey; and to such dignities of baronies as Thomas duke of Norfolk, his grandfather, lost by his attainder. And by act of parliament the 3 Car. I., (1627,) the earldom of Arundel, with the titles and dignities of the baronies of Fitz-Alan, Clun, and Oswaldestre,^b and Maltravers were annexed to the title, honour, and dignity of the earl of Arundel, and together with the earldom, were settled upon him and the heirs male of his body; and in default upon the heirs of his body; and in default upon a series of heirs male of other branches of the Howard family: and under these limitations the aforesaid titles and honours have since continued to descend.

It may here be considered how far the barony of Arundel de Maltravers, or Maltravers, (which are the same,) having its origin by writ of summons, and as such descendable

^a It does not appear how, or when, the castle of Arundel was made descendable to an heir female, it having come to John Fitz Alan, grandson to John who married the heiress of Maltravers, by virtue of a fine and settlement made in favour of the heir male, in prejudice to the daughters and coheirs of Richard, earl of Arundel, and sisters and coheirs to Thomas, earl of Arundel, who died s.p. the 3 king Hen. V.

^b Fitz-Alan, Clun, and Oswaldestre were never distinct baronies. Fitz Alan was the mere name of the lord of these territories; and Fitz Alan was never summoned to parliament so as to acquire a barony by writ descendable in blood. All the territorial lordships of the family might have been designated with equal propriety of dignities.

to heirs general, is affected by the annexation of it to the course of limitation prescribed by the act of parliament; and whether such limitation by making a different course of descent is not thereby the creation of a new barony of Maltravers. Under the original descent, the lords Stourton and Petre would be the coheirs thereto.

Thomas Howard, grandson of the said Thomas earl of Arundel, by act of parliament 29 Dec., 1660, was restored to the dukedom of Norfolk, with the precedence of his ancestor John duke of Norfolk, first created by king Richard III.; which act was afterwards confirmed by another act, settling the succession upon the heirs male of the bodies of numerous branches of the Howard family.*

* Vide Coll. Peer., vol. i., all editions.

MANNERS OF HADDON.—(31 CHARLES II.)

JOHN MANNERS, son and heir apparent of John, eighth earl of Rutland, had summons to parliament *vita patris*, as “*John Manners de Haddon Chiv*,” and was introduced, and took his seat 2 May, 1679.† This summons of creation appears to have originated from the barony of Ros, having been separated from the Manners family, in the way which will be found detailed under the article of Ros.‡

† Journ. Dom. Proc.

‡ Vide Ros.

This John succeeded his father as the ninth earl of Rutland, and was afterwards, in 1703, created marquess of Granby, and duke of Rutland, in which dignity this barony is now merged.

MANNY.—(21 EDW. III.)

WALTER DE MANNY, (an alien in the diocess of Cambray) was one of the most eminent commanders in the wars of France, temp. Edw. III., was in the famous battle of Cressy, and at the winning of Calais, where the king himself, and the prince, fought under his banner. He was a knight of the Garter, and had summons to parliament among the barons of the realm from the 21 to the 44 Edw. III., and dying the 46 of the same reign, was buried in the monastery of the Carthusians (now commonly called the Charter House) which he had founded.§ He married Margaret, daughter and coheir of Thomas of Brotherton, earl of Norfolk, (widow of John de Segrave) and had issue a son Thomas, (unnoticed by Dugdale) who was drowned in a well at Deptford in his childhood,|| and a daughter Anne, his heir, who married John de Hastings, second earl of Pembroke, whose son John, the third earl, dying s.p., the barony of Manny became extinct.

§ Dug. Bar. vol. ii., p. 150.

|| Sandford's Geneal. Hist. etiam Weaver, p. 433.

MARMYUN OF SCRIVELSBY.—(45 HEN. III.)

PHILIP DE MARMYUN had summons to that parliament which was called by writ to meet in London the 45 Hen. III.,¶ but died the 20 Edw. I., before any regular series of

¶ Claus. Rot. m. 3 in Dors.

summons is to be found on record. He steadily supported the king during his contention with the rebel barons under Simon de Montfort; and on the surrender of Kenilworth castle was appointed governor thereof. At the time of his decease he was found by inquisition* to hold the castle of Tamworth by knight's service, finding three soldiers for thirty days at his own expense for the wars in Wales; and to hold the manor of Scrivelsby in the county of Lincoln, *per baroniam*, and in grand serjeanty, by the service of being champion to the king's of England on their coronation day. By his first wife Joane, youngest daughter and coheir to Hugh de Kilpec,† he had issue Joane, who married William Mortein, s.p.; Mazera, who married Ralph de Cromwell; and Maud, who married Ralph Boteler. By his second wife, Mary Cantilupe, he had issue an only daughter, also named Joane, æt. eight at her father's death; to her, in the divison of the estates, the manor and barony of Scrivelsby was assigned. She married to her second husband, Henry Hilary; but to her first husband, Sir Thomas de Ludlowe, by whom she had issue a son and heir Thomas, whose only daughter and heir Margaret married Sir John Dymoke, knight, who thereby acquired the manor and barony of Scrivelsby, in right whereof he performed the office of king's champion on the coronation day of Ric. II.‡ From that period to the present day the manor and barony of Scrivelsby have continued in the possession of the Dymoke family, and the office of king's champion has been executed personally by them at every coronation which has been celebrated.§

* Esch. 20
Edw. I., n.36.

† Fin. Rot. 28
Hen. III. m.9.

‡ Coron. Rot.
1, Ric. II.,
vide vol. ii.

§ Vide Coron.
Rot. Regum.

MARMYUN OF WITRINGHAM.—(22 EDW. I.)

JOHN MARMYUN, grandson of Robert Marmyun, a younger half brother of Robert the father of Philip, held Witringham and other lands in the county of Lincoln; and also West and East Tanfield, with divers manors in the county of York. He had summons to parliament the 22 and 25 Edw. I., and afterwards from the 7 to the 20 Edw. II., according to Dugdale's Index to his Lists of Summons; but on referring to the writs of the several intervening years, the name of John Marmyun only appears in the 7, 14, 15, and 20 Edw. II.,|| as he is said to have died the 16 Edw. II., the summons of the 20th must apply to John his son, which

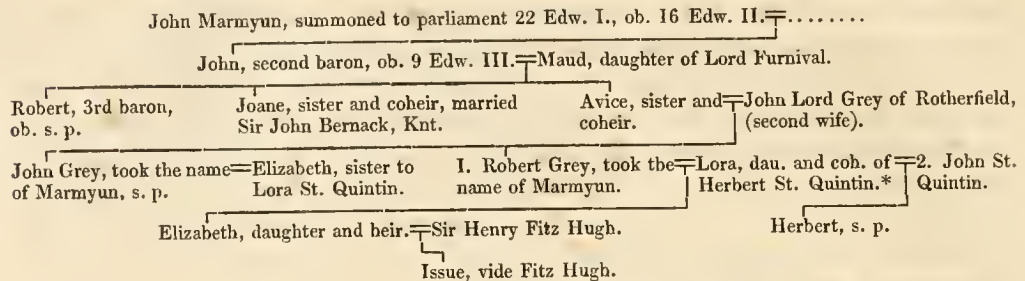
|| Dug. Lists
of Sum.

John Marmyun had summons from the said 20 Edw. II. to the 9 Edw. III., inclusive, about which time he deceased, leaving two daughters, and

Robert his son and heir, who never had summons to parliament, and died s.p., when his two sisters became his coheirs; of which, Joane married Sir John Bernack, knight, and Avice married Sir John Grey, of Rotherfield,¶ to whom she was second wife. The said Robert Marmyun being very infirm, and not having any issue, and being desirous for the continuance of his name, by the advice of his friends, married his sister Avice to Sir

¶ Vide Grey
of Rotherfield.

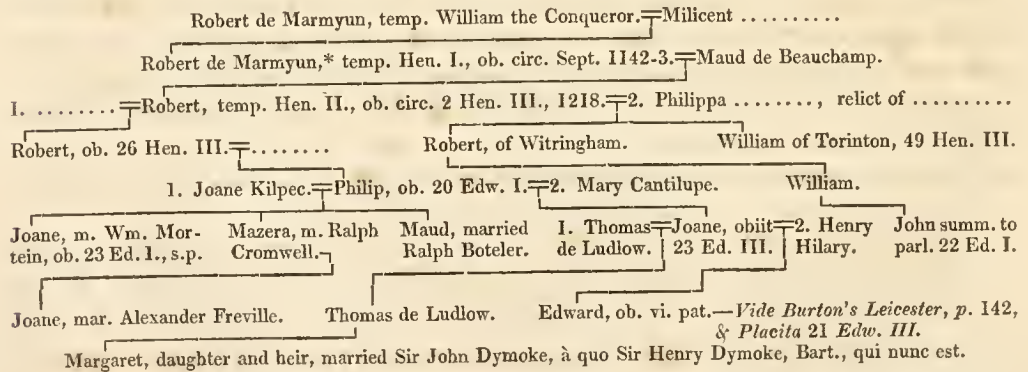
John Grey, and settled his lands on condition that their issue should take the name of Marmyun. None of this line however had summons to parliament by the Marmyun title.



* *Vide Originalia* 23 Edw. III., Rot. 22, Ebor.—Lora, and Elizabeth daughters and heirs of Herbert de St. Quintin.
N.B.—In West Tanfield Church, are, or were several monuments for the Marmyun family.

MARMYUN OF TORINGTON.—(49 HEN. III.)

WILLIAM MARMYUN, next brother to Robert, the grandfather to John of Witringham, before mentioned, had Torington, in the county of Lincoln, and taking part with the confederated barons under Simon de Montfort, was so highly estimated, that he was one of those who was summoned to that parliament which they in the king's name called by writ to meet in London the 49 Hen. III., after which time no further mention occurs of him, either as to the period of his death, of any marriage, or of any issue; but under the aforesaid summons, no parliamentary barony can be considered to have been created in him.



* He held the Castle of Fontney in Normandy, temp. king Stephen; there is a small town called *Fontney le Marmyun*, near Caen.

MARESCHALL, OR MARSHALL, OF HENGHAM.—(45 HEN. III.
AND 2 EDW. II.)

JOHN MARESCHALL, called by Dugdale nephew to William, earl of Pembroke, married Aliva, one of the daughters, and coheirs of Hubert de Rie, baron of Hengham, in the county of Norfolk, and thereby acquired that lordship or barony. He had issue John his successor, who died s.p., and William, heir to his brother,* which

William Mareschall had summons to that parliament which was called by the king's writ to meet in London the 45 Hen. III.† He adhered to the rebel barons under Simon de Montfort, and circ. 50 Hen. III. died, leaving John his son and heir, which

John Mareschall was never summoned to parliament, dying the 12 Edw. I.,^a before any writs are upon record, to evidence such a summons.

William his son and heir, at his father's death, was about five years of age; but after attaining his majority, was, in the 34 Edw. I., in the wars of Scotland; and afterwards had summons to parliament from the 2 to the 7 Edw. II.,^b when he died, leaving John his son and heir, who died three years after, in the 10 Edw. II., s.p., leaving Ela his wife surviving, who re-married Robert Fitz Paine, (to whom she was second wife,) and Hawyse his sister and heir; which

Hawyse Mareschall married Robert de Morley,‡ and with a great inheritance carried to him also the marshalship of Ireland, which had been granted in fee to her ancestor, John de Mareschall, by king John.§

* Blom. Norf. v. i., pp. 223-4 edit. 8vo.

† Claus. m. 3, in Dorso.

‡ Rot. Parl. 1 Edw. III., m. 8, pars. 2.
§ Cart. 9 Joh. m. 32.

MARTIN.—(23 EDW. I.)

NICHOLAS MARTIN (descended from Martin de Tours, a Norman, who, making a conquest of Kemeys in Pembrokeshire, obtained that territory) married Maud, daughter of Guy de Brian, by Eve his wife, daughter and heir of Henry de Traci, and by this marriage became lord of Barnstaple, and other large possessions in the county of Devon. His grandson,

William Martin (son of Nicholas, who died vi. pat.) had summons to parliament

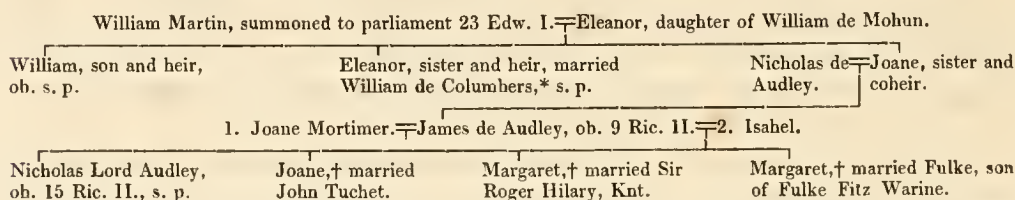
^a In Salmon's Hertfordshire, (p. 192,) it is said that Christian, daughter and heir of Robert Fitz Walter, by Devorguil, daughter and coheir of John de Burgh de Lanvallei, married ——— Mareschall; whose son William had issue John, s. p.; and, Hawyse, who married Robert Morley.

^b Though the name of William Mareschall does not appear in any writ of summons during the reign of Edw. I., yet he is mentioned as having subscribed the letter to the pope, in the parliament at Lincoln, 29 Edw. I., being then designated "*Willielmus Mareschallus Dominus de Hengham.*"—(Vide Dugdale's *Lists of Summons.*)

from the 23 Edw. I. to the 18 Edw. II., at whose coronation he was one of the nobles summoned to attend.*

* Coron. Rot.
1 Edw. II.

In the 29 Edw. I. he was among those who at the parliament at Lincoln subscribed the famous letter to the pope, being then designated "*Willielmus Martin Dominus de Camesio*." He died circ. 18 Edw. II., leaving^a William Martin his son and heir, who, unless the summons of the 19 Edw. II. applied to him, never had summons to parliament, but died s.p., according to Dugdale, the next year, (i. e., after his father) leaving Eleanor his sister then married to William de Columbers, aged forty, and James the son of Nicholas de Audley, by Joane his other sister, at that time aged fourteen, his heirs.



* The name of *William Columbers* is here mentioned from Dugdale having so stated it under the article of Martin; while under Columbers and Audley he expressly calls him *Philip*; which more correctly is considered to have been his right name.—(Vide *Philip de Columbers Estreats* 19 Edw. II.) Sir Harris Nicolas in his Synopsis has followed Dugdale in the name of *William Columbers*.

† Between the heirs representative of these three daughters and coheirs the barony of Martin is in abeyance, it never having been determined by the Audley barony going into the descendants of Sir John Tuchet.

MAUDUIT, WILLIAM.—(45 HEN. III.)

OF this family there were divers branches, but their connection with each other is very confusedly given by Dugdale.

William Mauduit was chamberlain to king Hen. I., and marrying Maud, daughter of Michael Hanslape, acquired with her the barony of Hanslape, in the county of Buckingham.† He most probably was the progenitor of all the other houses, and by his great power enabled to settle them in the large possessions which they held in divers counties. From him descended

† Dug. Bar.,
v. i., p. 398.

William Mauduit, who married Alice, daughter of Walteran earl of Warwick, and ‡ Esch. n. 22. died the 41 Hen. III.,‡ leaving William his son and heir, which

^a Vide *Pat. Rot.*, 25 Edw. I., m. 1., part 2.—A treaty for marriage of Edward, son and heir of William Martin, lord of Kemeys, with Janetta, daughter of John Lord Hastings; and of Alianore, daughter of the said William, with William son and heir of the said Lord Hastings; it may therefore be assumed that the said Edward died *vitâ patris*, before any marriage took place; or otherwise s.p.

It also appears that this William had a second wife, Margaret, who survived him, and re-married with Robert de Wateville; unless William his son, who died so soon after him.—(*Estr.* 19 Edw. II., *Rot.* 28.)

William Mauduit appears to be the same who by the name of *William Mauduit de Helmsley*, had summons to that parliament which was called by writ to meet in London the 45 Hen. III.,* after which in right of his mother he became earl of Warwick, but died the 52 Hen. III., when William Beauchamp, son of his sister Isabel, succeeded him in the inheritance of the earldom of Warwick, as also of his other estates.

* Claus. m. 3
in Dorso.

MAUDUIT, (JOHN).—(16 EDW. III.)

OF this John Mauduit, Dugdale observes,† that he was cousin and heir to another John, but who that John was, he makes not any mention. By the name of John Mauduit he had summons to a great council to be holden at Westminster, the 16 Edw. III.,‡ after when he is not any more noticed by any similar writ, nor any of his descendants. He died the 21 Edw. III., being then seised, with Agnes his wife, of the manor of Somerford Mauduit, in the county of Wilts, where his residence was, and of other lands in the same county, leaving John, his son and heir, aged fifteen.

† Dug. Bar.,
vol. i., p. 399.

‡ Dug. Lists
of Sum.

MAULEY.—(45 HEN. III., AND 23 EDW. I.)

PETER DE MAULEY, a Poictevin, obtained the barony of Mulgrave, in the county of York, by marriage with Isabel, daughter and heir of Robert de Turnham, by Joan his wife, daughter and heir of William Fossard, lord of Doncaster, in the county of York, which lordship the said Peter also acquired.

Peter de Mauley, his son, (called Peter the second) married Joan, daughter of Peter de Brus, of Skelton, and died the 26 Hen. III., leaving

Peter de Mauley, (the third) his son and heir, who was summoned to that parliament called by the king's writ§ to meet in London the 45 Hen. III. He married Nichola, daughter of Gilbert, son of Gilbert de Gant, earl of Lincoln, and was succeeded by his son and heir

§ Claus. m. in
Dorso.

Peter de Mauley, (the fourth) who the 7 Edw. I., doing his homage, and paying one hundred pounds for his relief, had livery of all his lands, which he held of the king in capite, by barony of the inheritance, of William de Fossard, and had summons to parliament from the 23 Edw. I. to the 3 Edw. II., at whose coronation he was one of the barons summoned to attend.

In the 29 Edw. I. though not summoned to the parliament at Lincoln, he was among those who had their seals affixed to the letter to the pope, being designated "*Petrus de Malolacu de Mulgrave*." He died 3 Edw. II., leaving by Eleanor his wife, daughter of Thomas lord Furnival.

Peter de Mauley (the fifth) his son and heir, who had summons to parliament from the 5 Edw. II. to the 9 Edw. III. as Peter de Mauley; and from the 9 to the 28 Edw. III. as Peter de Mauley *Le quint*.^a He died the 29 Edw. III., having had issue by Margaret his wife, daughter of Robert lord de Clifford, who survived him.*

* Orig.
46 Edw. III.,
Rot. 37, Ebor.

Peter de Mauley, his son and heir, who had summons to parliament from the 29 Edw. III., to the 6 Richard II., as *Peter de Mauley le sisme*, (the sixth) excepting in some of the latter writs.

† Vide
Sutton, vol. ii.

• He was twice married; his second wife was Constance, one of the daughters, and coheirs of Thomas de Sutton, of Holderness,† whom he left surviving; his first wife was Elizabeth, daughter of Nicholas lord Meinell, widow of John lord Darcy, by whom he had a son Peter, who died in his lifetime, leaving by Margery his wife, another of the daughters and coheirs of Thomas de Sutton, of Holderness, a son Peter and two daughters, viz: Constance and Elizabeth. Deceasing the 6 Ric. II. he was succeeded by the said

Peter de Mauley his grandson and heir, who had summons from the 22 Ric. II. to the 3 Hen. V., when he died. He married Maud, daughter of Ralph Nevill, earl of Westmorland; but not having any issue, his two sisters, (before mentioned) became his coheirs in the barony of Mauley of Mulgrave, and in the moiety of the barony of Sutton of Holderness; of these, Constance married, first, William Fairfax, s.p.; and secondly, Sir John Bigot, knight, and had issue; and Elizabeth married George Salvain, or Salvaine, esq., and also had issue.

Peter de Mauley, the 7th, ob. vi. pat. — Margery, daughter and coheir of Thomas de Sutton, of Holderness.

Peter, the 8th & last baron, ob. 3 Hen. V., s. p.	Constance, sister & coh.; 1st hus., William Fairfax, s. p.	1st — Sir John Bigot, Knt, 2nd hus., of Moulgrave, jure uxoris.	Elizabeth, sister and coh.	George Salvaine, Esq.*
Francis, son & heir, s. p.	Ralph, slain at Towton.	Anne, dau. of Lord Greystoke.	Sir John Salvaine.	
John, slain with his father.	Elizabeth, daughter of Henry Lord Scrope, of Bolton.		Thomas Salvaine.	
Ralph, of Moulgrave. Esch., 6 Hen. VIII.	Margaret, daughter of Sir Robert, and cousin and heir of Sir Ralph Constable, Knt.		Sir Ralph Salvaine.	
John Bigot, ob. vi. pat.	Joane, daughter of Sir James Strangeways, Knt.		George Salvaine.	
Francis, attainted 29 Hen. VIII., ob. 18 queen Elizabeth.	Catherine, dau. of William Lord Conyers, ob. 5 queen Elizabeth.		Sir Francis Salvaine	
Ralph, son and heir, restored in blood, 3 Edw. VI.— <i>Vide Rot. Parl. ejusd. ann.</i> —s. p.	Dorothy Bigot, sister and heir married Roger Radcliffe, who was of Moulgrave Castle, in her right, ob. 30 Elizabeth.	Ralph.	Anne. Jane.	Margaret. Elizabeth.

Ralph Salvaine, of Ugthorpe, claimed in 1623 the manor of Doncaster against the burgesses, which claim was compromised.—*Vide Hunter's Deanery of Doncaster, vol. I., p. 24.*

* In the division of the inheritance it appears that Sir John Bigot had Moulgrave Castle, &c.; and George Salvaine the manor and lordship of Doncaster, which had been the barony of Fossard. Wainwright, in his history of Doncaster, (p. 26,) states that Sir John Salvaine, of New Biggin, (son of George) who died in 1471, sold Doncaster to Henry Percy, second earl of Northumberland.

^a This distinction did not mean the fifth baron, but the fifth of the name of *Peter*, which was the continued name of the family.

MEINILL.—(22 EDW. I.)

NICHOLAS MEINILL held the manor and castle of Wherlton, in the county of York, per baroniam, and had summons to parliament from the 22 to the 25 Edw. I. In the 26 Edw. I. he had summons *equis et armis* to Newcastle-upon-Tyne, being in the writ styled a baron, those who were then summoned being on that occasion designated by their rank of earls, or barons. He was again summoned the 27 Edw. I., and died about that year,* leaving by Christian^a his wife, who survived him, Nicholas, aged twenty-four, and John, afterwards heir to his brother, which

* Esch.,
28 Edw. I.,
n. 38, Ebor.

Nicholas Meinill had summons from the 6 to the 15 Edw. II. inclusive, in which year he died, leaving John his brother and heir, aged forty.† By Lucie, daughter and heir of Robert de Thwenge, his concubine, he had a son Nicholas, who was the founder of the next barony of Meinill.

† Esch.,
15 Edw. II.,
n. 21.

NICHOLAS MEINELL (NOTHUS).—(9 EDW. III.)

NICHOLAS MEINILL, natural son of the last baron, had summons to parliament from the 9 to the 16 Edw. III. inclusive, and died the same year, leaving issue by Alice his wife, daughter of William lord Ros, or Roos, of Hamlake, Elizabeth his daughter and heir, which

Elizabeth Meinill married first, John lord Darcy, and secondly, Peter de Mauley le sisme,‡ and had issue by both husbands. She died the 42 Edw. III., leaving Philip Darcy, her son and heir, aged fifteen, whose great-grandson Philip left issue two daughters and coheirs, whereof, Elizabeth married Sir James Strangeways; and Margaret married Sir John Coniers; between whose descendants the barony of Meinill, if it can be considered one created by the writs of summons to Nicholas Meinill, the bastard, in the reign of Edw. III., may be deemed to be in abeyance,§ and that abeyance not terminated, though Conyers Darcy, the second baron Darcy, under the patent of 10 August, 1641, and baron Coniers in right of his grandfather, was styled *Baron de Darcie and Meinill*, probably from a supposition that the patent which restored the barony of Darcy, comprehended also that of Meinill. The assumption therefore of the Meinill title seems manifestly without any legal authority.

‡ Vide Mauley

§ Vide Darcy.

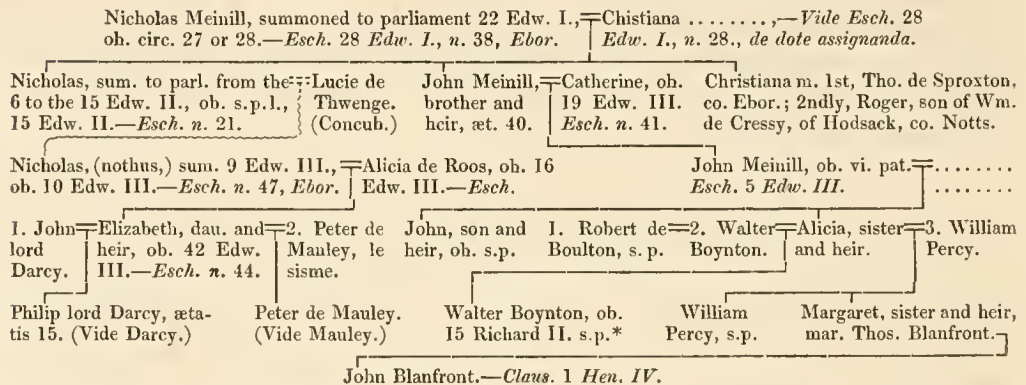
Sir Harris Nicolas, following Dugdale,|| has in his *Peerage Synopsis* made three baronies

|| Dugd. Bar.,
v. ii., p. 110.

^a She was accused by her husband with an attempt to poison him; but she proved her innocence, though he would not be reconciled to her, and she was obliged to sue for alimony.—(Vide Esch., 28 Edw. I., n. 28. *De dote assignanda*.)

* Synop.,
v. ii., p. 422.

of Meinill, viz: the first in Nicholas, summoned the 22 Edw. I., who he says died s.p.; the second in Nicholas, called by him* natural son of the preceeding, and who he says died s.p.; the third barony in this Nicholas, whose connection with the others is not mentioned. But as Nicholas who was summoned the 22 Edw. I. had issue as before stated, a son Nicholas, who was also summoned to divers parliaments, and died s.p.l., leaving John his brother and heir, this first barony may be presumed to be equally as much a personal and descendable honor, as that of the illegitimate Nicholas, summoned the 9 Edw. III.



* He had the manor of Castle Levington, but dying s.p., it went to his half brother, William Percy, who dying also s.p., his sister Margaret became his heir.—*Vide Vincent*, b. 2. 179, in *Coll. Arm.*, and *Brook's MSS.*

HUGH DE MEINELL.—(1 EDW. III.)

† Bar., v. ii.,
p. 3.

DUGDALE† notices a Hugh de Meinell, who the 18 Edw. II., received the order of knighthood by bathing; and the 1 Edw. III. had summons to parliament among the barons of the realm, but not after. On referring to the writ this appears erroneous, as the name of Hugh de Meinell does not have place in either of the writs of summons to parliament of that year, and is only contained in the writ *equis et armis* to Newcastle-upon-Tyne.

Who he was, or how descended, the same author does not state, but says "*I presume he was of this family,*" (i. e. the barons before noticed) "*but further I cannot say of him, than that he married Alice, widow of Ralph lord Basset.*"‡

‡ Ibid.

In the early part of the pedigree of the family, there is mention of Hugh de Meinell,

of Hilton, as uncle to Nicholas, the first summoned to parliament the 22 Edw. I.; but he, from length of time, could not be this Hugh, who, not improbably, was a son of Hugh, of Hilton, who by grant of his brother William, dated in 1203, obtained that manor juxta Rudby.

MOELS.—(25 Edw. I.)

NICHOLAS DE MOELS having married Hawyse, daughter and coheir of James de Newmarch, became possessed of the lordships of Cadebury and Maperton, in the county of Somerset, as also of other lands and manors in several counties, part of the barony of Newmarch.* He was a great soldier and statesman temp. Hen. III.

* Testa de Nevil, p. 172.

John de Moels, grandson of Nicholas, was first summoned to parliament the 25 Edw. I.,^a and again the 27th; but was not summoned after in that reign. He was not summoned to the parliament at Lincoln the 29 Edw. I.,^b yet his seal was affixed to the memorable letter then written to the pope, on which occasion he is styled "*Johannes de Moels de Cadbury*." His name appears in the writs of summons of the 2, 3, and 4 Edw. II.; but according to Dugdale,[†] citing the Escheats of that year,[‡] he died the 3 Edw. II., leaving

[†] Bar., v. i., p. 620.
[‡] No. 32.

Nicholas de Moels his son and heir æt. twenty, who the next year doing his homage, had livery of his lands, and had summons to parliament the 5, 8, and 9 Edw. II., in which last year he deceased, leaving Margaret his wife, daughter of Sir Hugh Courtenay (sister to Hugh, earl of Devon), surviving, and Roger his son and heir æt. twenty;^c which Roger died the 19 Edw. II., s.p.,[§] leaving

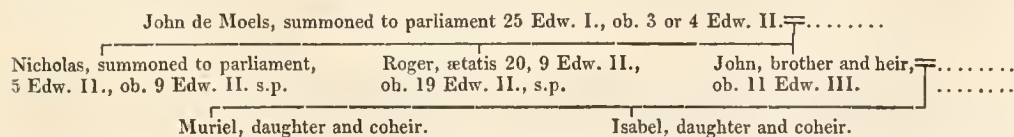
[§] Dug. Bar., v. i., p. 620.

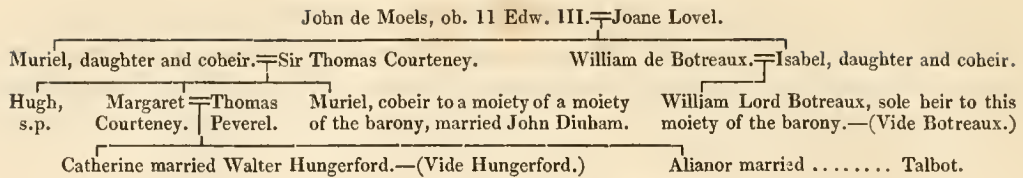
John de Moels his brother and heir, who never had summons to parliament. He married Joane, daughter of Sir Richard Lovel of Castle Cary, and died the 11 Edw. III., leaving Muriel and Isabel his daughters and coheirs, in whose representatives the barony is in abeyance, the same never having been determined.

^a Sir Harris Nicolas, in his Synopsis, says it is doubtful if that writ was a regular summons to parliament; but it appears there was a parliament holden the 25 Edw. I., in which the great charter, and charter of the forests were confirmed.

^b At this time he was in the wars of Scotland.

There appears a great doubt as to Roger being the son of Nicholas; for if Nicholas was only aged twenty the 3 Edw. II., he could not have a son Roger to be twenty years old, when he the said Nicholas died the 9 Edw. II.—The descent more likely is:—





MOHUN.—(27 EDW. I.)

WILLIAM DE MOHUN, the first of the family of whom mention is made, came over with the Conqueror, and for his services obtained among other grants the castle of Dunster, and fifty-five manors or lordships in the county of Somerset, and in other counties.

William de Mohun, his grandson, espousing the part of Maud, the empress, in her contention for the crown with king Stephen, is said to have been created by her, earl of Dorset; but as she was never queen *de facto*, such creation could not be valid. From him through several successions,* came

* Banks's
Dorm. et Ext.
Bar. v. i.

John de Mohun (called John the second), who served often in the wars of Scotland, and had summons to parliament from the 27 Edw. I. to the 4 Edw. III. In the 29 Edw. I. he was one of the barons who in the parliament at Lincoln subscribed the letter to the pope, being then designated "*Johannes de Mohun Dominus de Dunsterre*."† At the coronation of Edw. II. he was one of the nobles summoned to attend.‡ He was also summoned to Carlisle, *equis et armis*, the 26 Edw. I., being in the writ styled a baron, for in that writ the earls and barons were specially distinguished by their respective ranks. He married Auda, daughter of Robert de Tibetot, and dying the 4 Edw. III. was succeeded by

† Dug. Lists
of Sum.
‡ Coron. Rot.
1 Edw. II.

John de Mohun, his grandson and heir, (viz., son of John, his eldest son, who died in his lifetime,) at that time in minority, and in ward to Bartholomew de Burghersh, whose daughter Joan he afterwards married. During the reign of Edw. III. he served often in the wars of France and Scotland. He had summons to parliament from the 16 to the 47 Edw. III.; but after the 22 to his last summons, with the addition of *De Dunsterre*. When he died does not certainly appear; he, however, had not any issue male, and left three daughters coheiresses to his barony. Of these, Philippa married first Edward Plantagenet, duke of York, s.p.;^a Elizabeth married William de Montacute, earl of Salisbury, and had a son William, who died s. p.; Maud, the other daughter, married

^a According to the inscription on her tomb, in Westminster Abbey, she married, first, the lord Fitz-Walter; secondly, Sir John Golafre, knt.; thirdly, Edward, duke of York.—Leland, (v. iv., p. 5,) states that Sir John Golafre was a bastard, and died at Wallingford, A.D. 1396, and was buried in Westminster Abbey.

John lord Strange, of Knokyn, in whose heirs general the barony of Mohun, by the failure of issue from Philippa, and Elizabeth Mohun is now vested.*^a

* Vide Strange of Knokyn.

MOLINES.—(21 EDW. III.)

JOHN, son of Vincent Molines and Isabel his wife, of French extraction, and so called from a town of that name, in the Bourbonnois, had summons to parliament the 21 Edw. III., but never after; which leaves it doubtful whether any barony was acquired by virtue thereof, it having been decided that a single summons without proof of a sitting under it, did not constitute a descendable barony, or what is termed a barony in fee.† He married Egidia, cousin and heir of John Mauduit, of Somerford Mauduit, in the county of Wilts, by Margaret his wife, daughter and coheir of Robert Pogeys, of Stoke Pogeys, in the county of Buckingham, and died the 41 Edw. III.

† Vide Frescheville.

William, son and heir† of John, was never summoned to parliament. He died circ. 4 Richard II., having had issue by Margery his wife, daughter and coheir of Edmund Bacoun, (with her sister Maud, wife of John de Burghersh,) Richard, his son and heir, which

‡ Orig. 41 Edw. III., Rot. 1, Bucks.

Richard Molines never had summons to parliament, and died shortly after his father, circ. 8 Richard II., leaving

William Molines, his son and heir, who never had summons to parliament, though it is to be observed, that each of the descendants from John, had the title of lord Molines attributed to him. He died the 3 Hen. VI., leaving William his son and heir, which

William Molines was afterwards unhappily slain at the seige of Orleans, bearing then the title of lord Molines, (7 Hen. VI.), leaving Alianore, his daughter and sole heir, then only three years old, which Alianore, the 19 Hen. VI., was wife of Robert Hungerford, son and heir apparent of Robert, second baron Hungerford; after whose death she married Sir Oliver Manningham, knight, and lies buried at Stoke Pogeys.

HUNGERFORD LORD MOLINES.—(23 HEN. VI.)

ROBERT HUNGERFORD having married Alianore Molines, had summons to parliament the 23 Hen. VI., by writ addressed "*Roberto Hungerford, Militi Domino de Moleyns*," and similarly in the 25, 27, 28, 29, and 31 Hen. VI., being, as mentioned in the rolls

^a There appears to have been a contention between the coheirs and John Lutterell, temp. Hen. IV., for the castle of Dunster, which was given in favor of Lutterell, whose family afterwards continued to possess the same.—(Vide Rot. Parl. v. iii, p. 577, (46) A.D. 1406. The 6 and 7 Hen. IV.)

* Rot. Parl.
v. vi, p. 131.

of parliament, *lord Molyns in right of Alianor his wife, daughter and heir of Sir William Molyns, late lord Molyns, deceased.** It has been before observed, that there never was but one writ of summons to John Molines, the first of the family of whom memorable notice is made; and that none of his descendants were ever after summoned to parliament, in which respect it would seem there was not any barony descended to his eventual heiress Alianor; and even had there been one, then being a personal honor, according to the modern practice, there could not be any courtesy to her husband.^a

His summons may on this ground be deemed the first creation of an inheritable barony of Molyns. Upon the death of his father, he succeeded to the barony of Hungerford, and thus the barony of Molyns became coalesced therewith, and so descended, after several attainders and restorations into the family of Hastings, in which, in the person of the present marquess of Hastings, it is now vested, along with that title, and the baronies of Botreaux and Hungerford, with one moiety, and the half of another moiety of the barony of Moels.†

† Vide Hastings, Botreaux Hungerford, & Moels.

MONTACUTE.—(22 EDW. I.)

‡ Coron. Rot.
1 Edw. II.

§ Dugd. Lists
of Summ.

|| Collins in
Manch. Dukedom.

SIMON DE MONTACUTE, presumed to be descended from Drogo de Montacute, living temp. Hen. II., was a very eminent person in the reign of Edw. I., and had summons to parliament the 22 Edw. I.; and afterwards from the 28 to the 9 Edw. II., at whose coronation he was also summoned to attend.‡ In the 29 Edw. I. he was one of the barons who in the parliament at Lincoln subscribed and affixed their seals to the famous letter to the pope,§ being then designated "*Simon Dominus de Monte acuto*." When he died does not appear in Dugdale, but it was not long after his last writ of summons. He is said to have married|| Aufrica, a daughter of Fergus, and sister and heir to Orry, king of Man, by whom he had issue William and Simon; which

William de Montacute was in the wars of France and Scotland in the lifetime of his father; and succeeding him, had summons to parliament in the 11 and 12 Edw. II.; shortly after which he died, in Gascoigne, but his body was brought over, and buried at St. Frideswide, (now Christ Church,) Oxford, in the year 1320. By Elizabeth his wife, daughter to Peter de Montfort, he had a numerous family: whereof,

William de Montacute, his second but eldest surviving son and heir, had summons to parliament from the 5 to the 10 Edw. III.; the year after which he was created earl of Salisbury;¶ whereby the barony became merged in the higher dignity. Furthermore,

¶ Chart. 11
Edw. III., n. 55

^a Alianor having a great estate, the courtesy thereof belonged to her husband. The Record says that *William, son and heir of John Molyns, deceased, was seised of the manors of Aston Bernard and Ilmer, in the county of Buckingham, holden by the service of being falconer to the king.*"—(Orig. 41 Edw. III., Rot. 1, Bucks.)

Dugdale says,* that in 16 Edw. III., having conquered the Isle of man, the king having given him the inheritance of it, crowned him king thereof; but he deceased the next year, (17 Edw. III.,) leaving by Elizabeth his wife, daughter of William de Grandison,† and sister and coheir to Otto de Grandison, William his son and heir, John de Montacute, and other issue. Of which,

* Bar., v. i., p. 646.

† Vide Grandison.

William de Montacute, the eldest son, succeeded as second earl of Salisbury, and was famous for his military prowess, it being said of him that his life was a perpetual campaign. He was twice married: his first wife was Joane, daughter of Edmund Plantagenet, earl of Kent, from whom he was divorced;^a his second wife was Elizabeth, daughter and coheir of John lord Mohun, of Dunster;‡ by whom he had a son William, who was most unfortunately killed by him (his father) in a tilting, at Windsor, 6 Ric. II., s. p. Thus, not having surviving issue, and dying the 20 Ric. II., he was succeeded by his nephew John, son of his next brother John, by Margaret his wife, daughter and heir of Thomas lord Monthermer; which

‡ Vide Mohun

John de Montacute, third earl of Salisbury, was almost the only temporal nobleman who remained firm to king Richard when he was deposed by the duke of Lancaster; and joining afterwards with some others for his restoration, was seized by the rabble, at Cirencester, who struck off their heads, and sent them to London, in the year 1400. All his honours were forfeited, but certainly not legally.

Thomas de Montacute, his son and heir, was afterwards fully restored in blood and honours, the 9 Hen. V. He was most conspicuous for his military achievements; and, being the commander of the English army, at the siege of Orleans, in 1428, was there killed; after when the English affairs in France continually declined. By Eleanor his first wife, daughter of Thomas, and sister and coheir to Edmund, earl of Kent, he had an only daughter and heir Alice, who married Richard Nevill, son of Ralph, earl of Westmorland, by Joane, his second wife; but by Alice his second wife, daughter of Thomas Chaucer, esq., and widow of Sir John Philips, he had not any issue: she survived him, and about two years after married William de la Pole, earl of Suffolk.

NEVILL, EARL OF SALISBURY.

RICHARD NEVILL, eldest son of Ralph, earl of Westmorland, by Joane Beaufort his second wife, having married Alice, only daughter and heir of Thomas the last Montacute, baron Montacute, Monthermer, and earl of Salisbury, had that earldom granted

^a On account of precontract with Sir Thomas Holland, whom she married, and on his decease became the wife of Edward the Black Prince, and by him mother of king Richard II.

* Pat. 20 Edw.
VI. pars. 4. m.
11.

† Banks's
Dorm. & Ext.
Bar. vol. iii.,
p. 651.

to him, and also to the heirs of the said Alice.* He was attainted in 1459, but it appears he was restored the following year, before the end of which he was made prisoner at the battle of Wakefield, and afterwards beheaded. He had a numerous issue of sons and daughters;† of the former,

Richard Nevill, the eldest son, bore the title of earl of Warwick in his lifetime, having married the heiress of that earldom; and on his father's death became also earl of Salisbury, being *jure matris*, baron Montacute and Monthermer. He was the famous earl of Warwick, styled the king maker, and was slain at the battle of Barnet, when being attainted all his honours became forfeited.

This great earl had two daughters his coheiresses; whereof, Anne married, first, Edward, Prince of Wales, son of king Hen. VI., s.p., and secondly, Richard, duke of Gloucester, (afterwards king Richard III.), by whom she had a son Edward, created earl of Salisbury by his uncle king Edw. IV., and in the first of his father's reign Prince of Wales, but he died about nine years of age; Isabel, the other daughter and coheir, married George, duke of Clarence, (brother to king Edw. IV.) who was drowned, according to tradition, in a butt of Malmsey. He was attainted in 1477, having had issue a son Edward, who was styled earl of Warwick, was long a prisoner in the Tower, and at last accused of treason, was attainted in 1499, and beheaded, s.p.; and a daughter Margaret, who on her petition was restored countess of Salisbury, but was afterwards attainted in 1539, and beheaded in 1541, being at that time grey with age. She married Sir Richard Pole, (born in Wales), and had issue Henry Pole, hereafter mentioned, cardinal Pole, and other children.

POLE, LORD MONTAGU.—(4 HEN. VIII.)

‡ Dugd. Lists
of Summ.

HENRY POLE, eldest son of Margaret, countess of Salisbury, by Sir Richard Pole her husband, was summoned to parliament the 21 Hen. VIII., when he first made his entry into the parliament chamber by the title of *lord Montagu*.^a ‡ In the 25 and 28 Hen. VIII. he was summoned as *Henry Pole de Montagu Chevalier*; but afterwards, under the pretence that he was combining with others to depose the said king Henry, he was accused and convicted of high treason, and beheaded on Tower Hill, anno 30 Hen. VIII.,

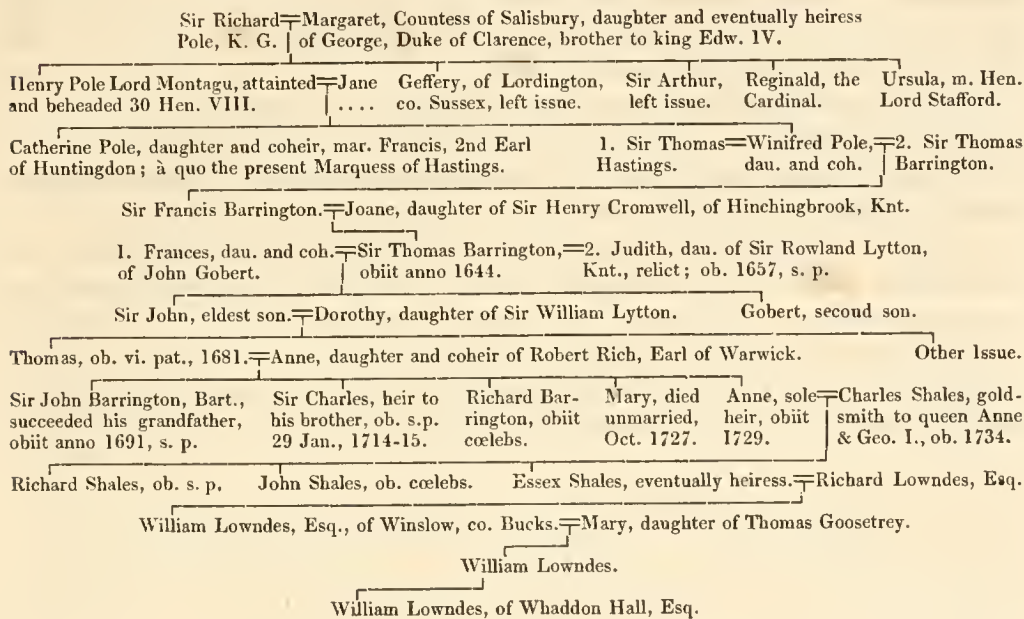
^a Dugdale in his Lists of Summons, (p. 500) has the following entry, viz :

The names of the barons as they sat and entered in the parliament in order, in the xxviii year of the reign of king Henry the eighth.

“ Lord Montagu restored and admitted the first day of December, anno xxi.”

Sir Harris Nicholas in his Synopsis, (vol. ii., p. 434) states that he was summoned the 5 January, the 24 Hen. VIII., 1533; but that was the date of the parliament of the 25 Hen. VIII., which was a continuance of prorogation from the 21, for there is not printed in Dugdale any summons between the 21 and the 25 Hen. VIII.

in the lifetime of his mother, the countess Margaret. Being attainted his barony became forfeited. By Jane his wife, daughter of George Nevill, lord Abergavenny, he had two daughters his coheirs, whereof Catherine married Francis, second earl of Huntingdon, now represented by the marquess of Hastings; and Winifred married, first, Sir Thomas Hastings, and secondly, Sir Thomas Barrington: which daughters were fully restored in blood by act of parliament the 1 Philip and Mary.



NEVILL DE MONTAGU.—(1 Edw. IV.)

JOHN NEVILL, second son of Richard Nevill, earl of Salisbury, by Alice his wife, daughter and heir of Thomas the last Montacute, earl of Salisbury, and brother to Richard Nevill, earl of Warwick, (the king maker), was first summoned to parliament the 38 Hen. VI., as *Johanni Nevill Domino Nevill Chiv'*; but afterwards in the 1 and 2 Edw. IV., as *Johanni Nevill Domino de Montagu*, and as *Johanni Nevill de Montagu*.* In 1467 he was created earl of Northumberland, which title he sometime after resigned, and was advanced to the dignity of marquess Montagu; but taking part with his brother the earl of Warwick in the attempt to restore king Hen. VI., he was attainted, and was with him slain in the battle of Barnet, on Easter-day, the 14 April, 1471.

He married Isabel, daughter and heiress of Sir Edmund Ingoldesthorpe, and had issue two sons, George and John, and five daughters, hereafter mentioned.

* Dugd. Lists of Summ.

George Nevill the eldest son, in the lifetime of his father was created duke of Bedford, with an intention on the part of the king to marry him to his daughter the princess Elizabeth; but after his father's attainder, he was by act of parliament degraded from all his dignities; and dying s.p. in 1483, 1 Edw. V., was buried at Sheriff Hoton. He and his brother John thus deceasing s.p., their five sisters became the coheirs general; and though, by their father's attainder, they could not inherit any of his honours, yet were they entitled to those rights of barony which were derivable from their mother Isabel Ingoldesthorpe, as to the baronies of Bradeston,^a Powys, Tibetot earl of Worcester, &c. Of these five daughters:

* Vide Wentworth.
† Vide Scrope, of Upsal and Bolton.

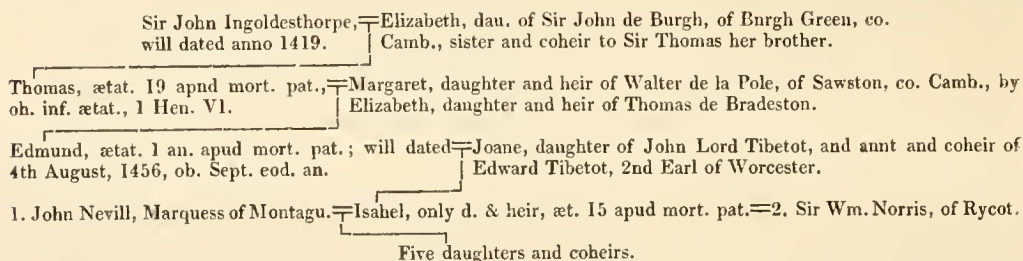
First.—Anne married Sir William Stonor, knight.*^b

Second.—Elizabeth married Thomas lord Scrope, of Upsal.†

Third.—Margaret married, first, Sir John Mortimer; secondly, Robert Horne; and thirdly, it is said, Robert Davis, who survived her.

Fourth.—Lucy married, first, Sir Thomas Fitz William, of Aldwarke, knight; and secondly, Sir Anthony Browne, knight, grandfather of Sir Anthony Browne, the first viscount Montague.

Fifth.—Isabel married Sir William Huddleston, of Sawston, in the county of Cambridge, knight; but by some authorities is said to have married, first, a lord Dacre; and lastly, William Smith, and to have died 12 Nov., 8 Hen. VIII.

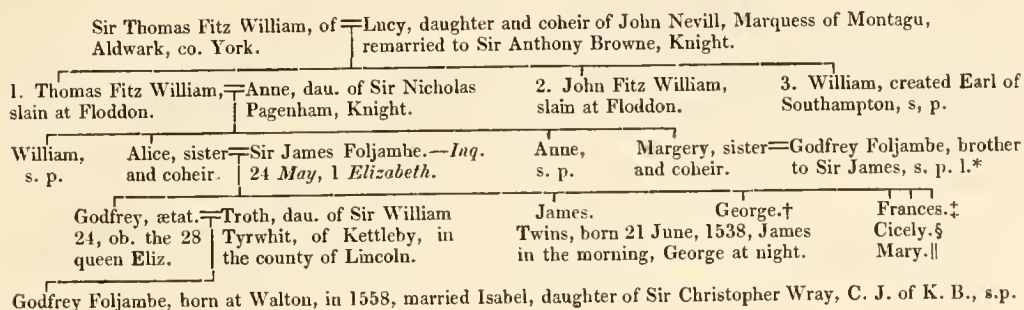


Margaret, third daughter and coheir of John Nevil, marquess of Montagu, by her second husband Robert Horne, is said to have had an only daughter Anne her heir, who married Sir James Framlingham, of Crowes Hall, in Suffolk, whose grandson, Sir Charles Framlingham, died in 1596, having had a son Clement, who died before him s.p., and a daughter Anne, who also died before him, having married Sir Bassingbourne Gaudy,

^a Vide act of parliament of king Hen. VIII., for recompense to the five daughters and coheirs of the marquess of Montagu, for five hundred marks per annum, granted by king Edw. III. to Sir Thomas of Bradeston.

^b By Sir William Stonor she had issue a daughter Anne, married to Sir Adrian Fortescue, who was attainted and executed the 10th July, 1539, and a son John Stonor, who died s.p.

knight, and had issue two sons Framlingham and Charles Gaudy. From Framlingham descended Sir Bassingbourne Gaudy, bart., whose great-grandson and heir, died unmarried in 1723, leaving three nieces his coheirs, daughters of his only sister Anne, who married Oliver le Neve, of Great Wichingham, esq., and had issue nine children, whereof only three survived, viz: Isabel; Anne, who married John Rogers, esq.; and Henrietta, who was wife of Edward le Neve, esq., both which ladies had issue living in 1725.



* He had, by ——— Brownlow, a natural son Godfrey Foljambe of Croxdon.

† He was of Brimington, and is said to have married Ursula, daughter of Richard Whalley of Scruton, in the county of Nottingham, and to have had a daughter and heir Troth, who married Edward Bellingham of New Timber, in the county of Sussex. He died 15th of March, 1588.

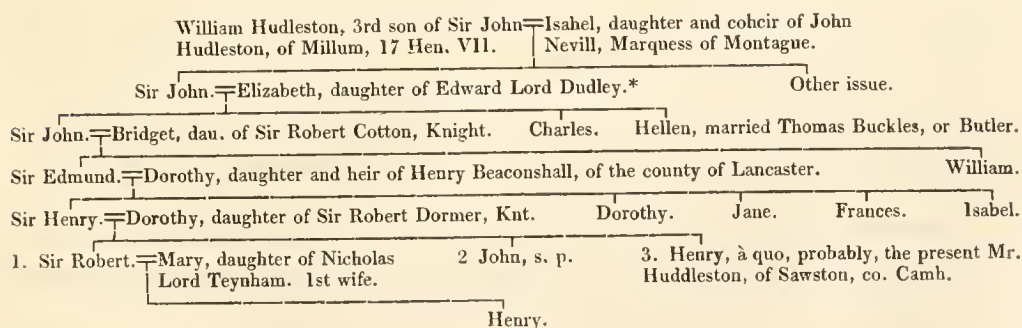
‡ Married John Thorn, of ———, born 21 Henry VIII.

§ Called Lucy, in a copy out of the Registry of Chesterfield, born 22 Hen. VIII., married Roger, son and heir of Roger Greenhough, of Tevershall in the county of Nottingham.

|| Married Vincent Fearn, Esq., or Harris.

Ex Gough's Yorkshire MSS., No. 5, in Bib. Bodl. Oxon.—Historical account of the family of Foljambe, 1704, by N. Johnston, M.D., of Pontefract.

Visitation of co. Cantab., per Henry St. George, anno 1619.



* Though named Elizabeth by Dugdale and St. George, she is called *Dorothy* in Burke's Commoners, who states *Elizabeth* to be an error. It possibly may be so; but his *ipse dixit* who metamorphoses Tradesmen into the *Landed Aristocracy* of the Country is no authority without something better than his name being cited.

EDWARD DE MONTACUTE.—(16 EDW. III.)

SIR EDWARD DE MONTACUTE, a younger brother to William, the first earl of Salisbury, had in the 11 Edw. III. the honour of knighthood conferred upon him; and afterwards was summoned to a great council at Westminster, in the 16 Edw. III.,* and from the 22 to the 34 Edw. III.^a was summoned to parliament among the barons of the realm. He died the following year, having greatly distinguished himself as a most eminent commander in the wars of Scotland and France.

* Dugd. Lists
of Summ.

He married Alice, daughter and coheir of Thomas of Brotherton, earl of Norfolk, (eldest son of Edw. I. by his second wife) and had issue a daughter and heir Joane, who married William de Ufford, earl of Suffolk, but died s.p.s.

JOHN DE MONTACUTE.—(31 EDW. III.)

JOHN DE MONTACUTE, next brother to William, second earl of Salisbury, had summons to divers parliaments from the 31 Edw. III. to the 13 Richard II.,† as *John de Montacute*, in which year, according to Dugdale, he deceased, leaving issue by Margaret his wife, granddaughter and heiress of Ralph baron Monthermer,‡ John his son and heir, aged thirty-nine, which

† Ibid.

‡ Vide Mon-
thermer.

John de Montacute, by that name, had summons to parliament from the 16 to the 20 Richard II., when he succeeded his uncle William as third earl of Salisbury, and carried to that title the barony of Monthermer, which accrued to him in right of his mother, and has been before noticed under the Salisbury detail.

MONTALT.—(22 EDW. I.)

THE family of Montalt was so called from a village of that name in Flintshire, and were barons of the palatinate earls of Chester.

Robert de Montalt, lord of Montalt, was living in 1160, from whom descended

Roger de Montalt, who married Cicely, one of the sisters and coheirs of Hugh de Albini, earl of Arundel, and dying the 44 Hen. III., left issue two sons, John and Robert; but John dying s.p., his brother

Robert became his heir, and was father of Roger and Robert de Montalt, which

Roger de Montalt had summons to parliament the 23 Edw. I., shortly after when he died, the 25 Edw. I., s.p.,§ leaving Robert his brother and heir, which

§ Esch. 26
Edw. I., n. 37,
and 102.

^a Sir Harris Nicolas in his *Peerage Synopsis*, (vol. ii., p. 436.) says, he was summoned only from the 25th of February, 26 Edw. III., which date applies to the writ of the 16 Edw. III. It rather seems to be a typographical error, which too often escapes the eye in the overlooking of the printer's proof sheets.

ROBERT DE MONTALT.—(27 EDW. I.)

ROBERT DE MONTALT had summons the 26 Edw. I. to attend at Carlisle *equis et armis*, being in the writ styled a baron, by which distinction, or of earls, the persons summoned are particularly noted.* After this he had summons to parliament from the 27 Edw. I. to the 3 Edw. III.^a In the 29 Edw. I. by the designation of "*Robertus de Monte Alto Dominus de Hawardyn*," he was one of those who signited the letter to the pope,† and the 1 Edw. II, was summoned to attend the king's coronation.‡ He died circ. 3 Edw. III. s.p., having, according to Dugdale, settled his lands for want of issue male by Emme his wife, on queen Isabel, mother of Edw. III., for life, and after her death, on John of Eltham, brother of the king, and his heirs for ever.^b

* Dug. Lists of Sum.

† Ibid.

‡ Coron. Rot. 1 Edw. II.

There was an Henry de Montalt summoned the 1 Edw. III. to Newcastle on Tyne *equis et armis*, of whom Dugdale does not make mention.

MONTEAGLE.—(6 HEN. VIII.)

IN the 5 Hen. VIII. Sir Edward Stanley, a younger son of Thomas, first earl of Derby, highly distinguished himself at the battle of Flodden, where the Scots were so signally defeated; in consideration of his conduct on that day, and that he won *the Hill*, and that his ancestors bore the *Eagle* in their crest, the king was pleased to create him a baron of the realm, and he was specially summoned to parliament the 6 Hen. VII. as "*Edward Stanley de Montegell, Chiv*,"§ and by the same description was summoned again the next year.

§ Dugd. Lists of Summ.

It was said of this eminent person that *the camp was his school, and his learning a pike and a sword*, and that whenever the king met him, his greeting was "Ho! my soldier." He died circ. 1524; his wife was Anne, daughter and coheir of Sir John Harrington, knt.,|| by whom he had issue^a

|| Dugd. Bar.

Thomas, second lord Monteagle his son and heir, who had summons to parliament from the 21 Hen. VIII. to the 1 queen Eliz., inclusive. He was twice married as Dugdale

^a Sir Harris Nicolas, in his Synopsis, (vol. ii., p. 439), states that he was summoned from the 27 Edw. I., to the 13 Edw. III.; a typographical error for the 3 Edw. III.

^b Vide Robert Morley, cousin and heir to Robert de Montalt.—(*Pat. 9 and 11 Edw. III., m. 3 and 17.—Etiam Rot. Parl., vol. ii., p. 49, no. 74, A.D. 1330.—Vide Rot. Parl., vol. i.—Roger Montalt, of Hawarden, grandson of Roger de Montalt.*)

^c She was rather his first wife, and died the 4 Hen. VII. s.p.—*Vide Pedigree in Harrington.* As such his issue must have been by another wife, whose name is not mentioned by Dugdale.

relates, first to Mary, daughter of Charles Brandon, duke of Suffolk, by which lady^a he had three sons, viz., William, Charles, and Francis, and also three daughters; secondly to Helen, daughter of Thomas Preston, of Levens, in the county of Westmorland, Esq., but had not any issue by her. He died 2 Eliz., 1560, and was succeeded by

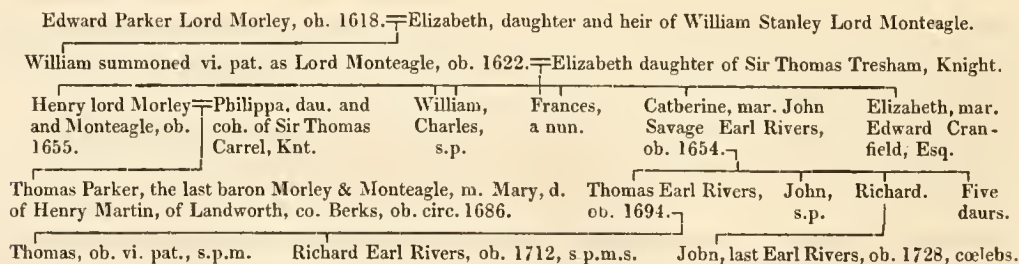
William, third baron Monteagle, his eldest son and heir, who had summons to parliament from the 5 to the 23 queen Eliz., and died in 1581, leaving Elizabeth his sole daughter and heir, who married Edward lord Morley.

PARKER BARON MORLEY AND MONTEAGLE.—(3 JAC. 1.)

WILLIAM PARKER, son and heir apparent of the said Edward lord Morley and Elizabeth Stanley his wife, had summons to parliament vitâ patris as "*William Parker de Montegle, Chiv,*" from the 3 to the 12 Jac. I.; and having afterwards succeeded his father in the barony of Morley, was summoned to parliament the 18 Jac. I., as "*William Parker de Morley and Montegle, Chiv,*" and died^b shortly after, in 1622, leaving

Henry Parker his son and heir, who the 21 Jac. I., 1623, was summoned to parliament by the said titles of Morley and Montegle, as also in the 1, 3, 4, and 15 Car. I. He died in 1655, leaving issue an only son and heir

Thomas baron Morley and Montegle, who after the restoration had summons to parliament the 13, 31, and 32 Car. II., and 1 Jac. II.; he died circ. 1686, s.p.s., when the baronies of Morley and Monteagle fell into abeyance between the issue of his auuts, viz: Catherine, who married John Savage earl Rivers; and Elizabeth, who married Edward Cranfield, esq., in whose descendants and heirs representative they still remain without any determination.



^a In Seacomb's Memoirs of the House of Stanley, (p. 49) he states that this lady was the wife of his father, and not of him; and that Anne, daughter of Sir John Spencer, of Althorpe, was wife of Thomas lord Monteagle, by whom he had William his son and successor.

^b He was the lord Monteagle to whom the letter was written whereby the Powder Plot was discovered.

John earl Rivers having married Catherine, one of the aunts and coheirs of Thomas, the last lord Morley, had issue by her five daughters and three sons,* viz; Thomas, John, and Richard, whose issue all eventually failing, the issue proceeding from his daughters may now be considered as the coheirs of Catherine countess Rivers. Of these daughters, Elizabeth married William lord Petre, s.p. Jane married, first, George lord Chandos, who died in February 1655, s.p., leaving his estate of Sudley Castle and other property to her, who in the October following married secondly Sir William Sidley, who dying in 1656 s.p., she married thirdly George Pitt, esq., of Stratfieldsea, in the county of Southampton, whose grandson George was father of George Pitt, created baron Rivers of Stratfieldsea in 1776, who had issue George the second baron, who died s.p. in 1829, and three daughters, viz: Penelope, who was the notorious countess Ligonier, and died s.p.l.; Louisa, who married Peter Beekford, esq.; and Marcia, who married James Fox Lane, of Bramham Park, esq. The coheirs representative of lady Jane Savage. Lady Catherine Savage married Charles Sidley, brother of Sir William, and had issue an only daughter Catherine, mistress to king Charles II., and by him created countess of Dorchester.† She afterwards married David Colyear, the first earl of Portmore, and had issue, whose descendants are also coheirs of the baronies of Morley and Monteagle. Lady Mary Savage married Henry Killigrew, esq.; and Frances died young. Of the issue (if any) from Elizabeth Parker, who married Edward Cranfield, there is not any account.

* Vide Bank's
Dorm. et Ext.
Bar., vol. iii.

† Ibid. v. iii.

MONTFORT.—(23 Edw. I.)

JOHN, grandson of Peter de Montfort, who was slain at the battle of Evesham, had summons to parliament the 23 Edw. I., but died the year following. By Alice his wife, daughter of William de la Plaunch, he had two sons, John and Peter, and two daughters, Elizabeth and Maud.

John de Montfort, the eldest son, was summoned to parliament the 7 Edw. II.; but was slain in the battle of Stryvelin against the Scots, s.p., leaving

Peter de Montfort his brother and heir, who was first a priest, but succeeding to the inheritance, his sacred function was dispensed with, and he had summons to parliament in the 9, 16, 22, and 23 Edw. III.;^a after which he died, the 31 Edw. III., without any

^a Sir Harris Nicolas, in his *Peerage Synopsis*, (v. ii., p. 441,) states that he was summoned from the 9 to the 23 Edw. III.; but, on referring to the intervening writs, his name is only contained in those of the years above mentioned.

* Vide
Frescheville.

legitimate issue, leaving his sisters his heirs, viz: Elizabeth, who was wife of Sir Baldwin de Freville; and Maud, who was wife of ——— Sudley: but they could only claim from the writ of the 23 Edw. I., if that single writ can be considered to have created any descendable barony.* He is said to have married Margaret, daughter of ——— lord Furnival, and to have had a son Guy, who married Margaret, one of the daughters of Thomas Beauchamp, earl of Warwick, and died s.p. By an old concubine, Lora, daughter of Richard Astley, of Ullinhale, in the county of Warwick, he had a son Sir John Montfort, whose male line flourished for many years at Coleshill, in the county of Warwick, till the attainder of Sir Simon de Montfort, temp. Hen. VII., whose descendants continued at Bescote, in the county of Stafford.

MONTHERMER.—(2 Edw. II.)

† Dug. Lists
of Sum.

RALPH DE MONTHERMER (of whose origin Dugdale does not make mention) was an esquire in the household of Gilbert de Clare, earl of Gloucester and Hertford, who had married Joane of Acres, daughter of king Edw. I. Upon the death of the said earl, his widow Joane married secondly this Ralph de Monthermer, who in regard he possessed the lands of those earldoms, to which his wife was entitled for term of life, was summoned to parliament as earl of Gloucester and Hertford from the 26 to the 35 Edw. I., inclusive. In the 29 Edw. I. he was one of those nobles who in the parliament at Lincoln subscribed† the famous letter to the pope, being then styled "*Radolphus de Monte Hermerii Comitis Gloucest'r et Hertford;*" but his wife, the countess, dying the 1 Edw. II., he never thereafter had the title of earl, and was summoned to parliament as a baron only from the 2 to the 18 Edw. II., inclusive, by the designation in the respective writs, "*Radulpho de Monthermer, or Monte Hermerii.*"

‡ Dugdale, v. i.
p. 217; etiam
Sandf. Geneal.

After the death of the princess Joane, the countess, he married Isabel widow of John de Hastings, (sister and coheir to Aymer de Valence, earl of Pembroke), and deceased, having had issue two sons, Thomas and Edward:‡ of which, Dugdale states, that Thomas never had summons to parliament, and was slain in a sea fight^a with the French, in the year 1340, (14 Edw. III.,) leaving Margaret his daughter and heir, who married John de Montacute, second son of William, first earl of Salisbury; and had by him a son John, who succeeded as heir to his uncle, and became third earl of Salisbury, and thereby blended the baronies of Montacute and Monthermer in that inheritance.§

§ Vide
Montacute.

From the preceding statement it appears that the writs of summons to Ralph de

^a Sir Harris Nicolas asserts that Thomas de Monthermer ob. vi. pat., (*Synopsis*, v. ii., p. 443), and calls him heir, which he could not be, if he died before his father.

Monthermer, as earl of Gloucester and Hertford, did not invest him with any descendable earldom, notwithstanding, that by reason of those writs of summons he sate in parliament as a peer, and exercised all the legislative functions appertaining to that degree of honour. He was therefore a merely titular earl, of precarious continuance, depending on the life of his wife, and in such respect, solely her proxy in the parliamentary assemblages. It is the only precedent of the kind where the wife herself was merely tenant for life of the honour or title.

EDWARD DE MONTHERMER.—(11 Edw. III.)

EDWARD DE MONTHERMER had summons by writ, dated the 23rd of April, 11 Edw. III., to attend a council at Stamford, in which his name is inserted next to the earl of Oxford, and before all the other barons mentioned therein. By another writ, dated the 21st of June the same year, he had summons to attend a great council to be holden at Westminster; and his name is therein placed next to Henry Beaumont, earl of Boghan, and above all other barons;* but, excepting on these two occasions, his name does not appear in any other subsequent writs of summons.

* Dugd. Lists of Summ.

The precedence given to him in the said writs, may be inferred to arise from his near relationship to the king, as grandson of Edw. I, (by his daughter Joane, of Acres), grandfather of Edw. III; for both Dugdale, and Sandford (in his genealogical history of the royal families) state that Ralph de Monthermer had issue by the princess Joane, two sons, viz., Thomas, and Edward, who by Milles and Brooke is represented to have been the eldest.†

To this Edward, the king (his uncle) Edw. II. granted in tail general the manor of Warblington, to revert to the king in fee:‡ but though doubted by Sir Harris Nicolas§ whether he was son of Ralph de Monthermer, yet, as there was not any other family of the same name, there does not appear any ground to suppose him not to be the Edward mentioned by Dugdale and Sandford; and who Milles and Brook, in their Catalogues of Honor, say, died without issue; the last adding (uncontradicted by his bitter critic Vincent,) *and was buried at the Augustine Fryars, at Clare.*||

† Milles and Brooke's Cat. of Hon.

‡ Pat. Rot. 4 Edw. II. m. 2.
§ Synopsis vol. ii., p. 443.

|| Brook's Cat. of Hon.

MORDAUNT.—(24 HEN. VIII.)

FROM the records of this family, collected in the reign of Charles II., and printed at the expense of Henry, then earl of Peterborough, it seems that it is of very ancient standing: but without going so far back as the time of the conquest, it may be sufficient here to commence it with the first person who attained to the rank of a peer of the realm.

* Dug. Lists
of Sum.

John Mordaunt, a person of great eminence, and highly in favour with Hen. VIII., was admitted into the house the 4th day of May, the 24 Hen. VIII.,* and afterwards had summons to parliament during his life. By his will, dated the 1st of August, 1560, he styles himself *Lord Mordaunt of Turvey*, which would rather intimate that he was created by patent, than by summons; for in the writs of summons he is designated *John Mordaunt, Chiv'*, without any addition of *de Turvey*. The writs would be consequent to his creation, if by patent; it could therefore only be by patent that he was styled baron of Turvey. The probate of his will is tested 1st September, 1562, from which it may be considered that he died in that year. His wife was Elizabeth, daughter and heir of Henry Vere, lord of Drayton, and Adington, in the county of Northampton;† by which lady, besides other issue, he had John his son and heir, which

† Dugd. Bar.
vol. ii., p. 311.

John, second lord Mordaunt, died circ. 14 Elizabeth; the probate of his will being dated the 19th of October that year. He married Ellen, cousin and heir of Richard Fitz Lewis, of West Thornton, in Essex, a rich heiress, for whose wardship, Morant in his history of Essex,‡ says, he gave king Henry thirteen hundred marks. His son and heir

‡ Vol. i. p. 213

Lewis, third lord Mordaunt died the 16th of June, 1601, and was buried at Turvey, the 29th of July following. By Elizabeth his wife, daughter of Sir Arthur Darcy, knt., he left issue

Henry his son and heir, fourth lord Mordaunt, who by Margaret, daughter of Henry lord Compton, had issue

John, fifth lord Mordaunt, who by letters patent (9 March, 3 Chas. I.) was advanced to the dignity of earl of Peterborough: but though he was thus indebted to his majesty for promotion of honour, he nevertheless held a commission in the parliament army, under the earl of Essex, being general of the ordnance, and colonel of a regiment of foot,§ in 1642, in which year he died, and was buried at Turvey, in the county of Bedford, with his ancestors. He married Elizabeth, sole daughter and heir of William lord Effingham, son and heir apparent to Charles Howard, earl of Nottingham, by Anne his wife, daughter and sole heir of John lord St. John, of Bletso,|| by which alliance the barony of Beauchamp, of Bletso, was brought into the Mordaunt family. By her he had issue two sons, viz: Henry his successor, and John created viscount Mordaunt, as hereafter mentioned.

§ Army List
printed by
T. Partridge,
1642.

|| Dugd. Bar.
vol. ii. p. 312.

Henry, second earl of Peterborough, and sixth baron Mordaunt, was a staunch loyalist, and was wounded on the king's side, at the battle of Newbury. He was much distinguished for his antiquarian knowledge, and with a desire to preserve the records of his family, which induced him to compile the scarce folio volume, entitled, "*Halstead's Genealogies*." He died the 19th of June 1697, and was buried at Turvey; but not having any male issue, the earldom of Peterborough devolved upon his nephew Charles, son and heir of his brother John viscount Mordaunt, and the barony of Mordaunt being

created by writ, descended to his only daughter, the lady Mary Mordaunt, by Penelope his wife, daughter of Barnabas, earl of Thomond, in Ireland.

MARY, BARONESS MORDAUNT.

THIS lady, sole heiress of her father in the barony of Mordaunt, and of Beauchamp, of Bletso (or Bletshoe), was twice married, first to Henry, duke of Norfolk, from whom she was divorced; and secondly to Sir John Germaine, bart., to whom, at her death, in 1705, she left her magnificent seat at Drayton, in the county of Northampton, which on his death, in 1718, he gave to his second wife, Elizabeth, daughter of Charles, second earl of Berkeley; which lady, at her decease, gave it to lord George Sackville, who took the name of Germaine, and was afterwards, in 1782, created viscount Sackville: thus not having issue, the barony of Mordaunt, and of Beauchamp of Bletso, on her decease, reverted to her cousin Charles, earl of Peterborough and Monmouth.

MORDAUNT LORD MORDAUNT.

It has been before stated, that Henry, second earl of Peterborough had a younger brother John, which John having married Elizabeth, daughter and heir of Thomas Carey^a second son of Robert, earl of Monmouth, was by letters patent the 10th of July, the 11 Chas. II, created baron Mordaunt of Ryegate, in the county of Surry, and viscount Mordaunt of Avalon, in the county of Somerset; he died in the lifetime of his brother earl Henry, in 1675, and was succeeded by

Charles, his son and heir, who, in April 1689, was advanced to the title of earl of Monmouth, and in 1697 succeeded his uncle Henry, as earl of Peterborough, and in 1705 succeeded his cousin lady Mary in the baronies of Mordaunt and Beauchamp, of Bletso; thus uniting together all the honours of the Mordaunt family. His enmity to the duke of Marlborough, and friendship for Pope, as observed by the earl of Orford* “will preserve his name, when his genius, too romantic to have laid a solid foundation for fame, shall be forgotten: he was a man who would neither live, nor die like other mortals;” he died at Lisbon, in 1735, aged 77. By Carey, his first wife, daughter of Sir Alexander Fraser, of Dores, in Scotland, he had two sons, John and Henry, and a daughter Henrietta, who married Alexander, second duke of Gordon; Henry the youngest son died of the small pox, unmarried, vi. pat., and

* Horace Walpole.

John, the eldest — viscount Avalon (or rather Mordaunt of Avalon), also died of

^a So named by Dugdale.—(*Vol. ii. p. 312.*) but called *Robert Carey* by Sir Harris Nicolas.—(*Synopsis vol. ii. p. 432.*)

the small pox vitâ patris, the 6th of April, 1710, leaving by lady Frances Paulet, daughter of Charles, duke of Bolton, two sons, Charles and John.

Charles, the eldest son, succeeded his grandfather as fourth earl of Peterborough, and second earl of Monmouth; he married first, Mary daughter of Thomas Cox, esq., and by her, who died in November 1756, had issue Frances, who married, in October 1765, the Rev. Samuel Bulkeley, of Hatfield, in the county of Hertford, and Mary Anastasia Grace, born the 5th of June, 1738. His second wife was Robiana, daughter of colonel Brown, by whom he had two sons, Charles Henry, born in 1758, and Paulet, born in 1759, who died young. Deceasing the 1st of August, 1777, he was succeeded by

Charles Henry, his only surviving son, and last earl of his family, who dying unmarried, in 1814, the earldoms of Peterborough and Monmouth, the viscounty of Mordaunt, of Avalon, and barony of Mordaunt, of Ryegate, are presumed to be extinct, or dormant, till some heir male can establish a right thereto; but the barony of Mordaunt, created the 24 Hen. VIII., devolved upon

LADY MARY ANASTATIA GRACE, BARONESS MORDAUNT.

THIS lady was daughter, as before noticed, of Charles, fourth earl of Peterborough, by his first wife; and by the death of her half brother Charles, the fifth earl, in 1814, s.p., became entitled to the succession of the barony of Mordaunt, and the presumed barony of Beauchamp, of Bletso; but deceasing s.p., in 1819, they then fell to Alexander, duke of Gordon, in Scotland, grandson and heir general of the body of lady Henrietta Mordaunt, only daughter of Charles, third earl of Peterborough, from whom not any issue remained.

GORDON, BARON MORDAUNT.

ALEXANDER fourth duke of Gordon, having thus become heir general to the barony of Mordaunt, it merged in his higher dignities; but with respect to the barony of Beauchamp, of Bletshoe, it may be questioned how far it was ever recognized as a descendable barony. Roger de Beauchamp married the eldest sister and coheir of William de Pateshull, and in the partition of the inheritance, obtained the manors of Bletshoe, and Caysho, in the county of Bedford.* He had summons to parliament for divers years, as *Roger de Beauchamp*, but none of his descendants had the like summons after him.—Margaret de Beauchamp, daughter and heiress of John, his great-grandson, married to her first husband, Sir Oliver St. John, from whom descended Sir Oliver St. John, created by patent in 1559, baron St. John of Bletshoe, with limitation to the heirs male of

* Lysons in
Com. Bedf.

his body: thus there was not any allusion to the ancient barony of Beauchamp, though there was in him an heirship in blood, by descent from Roger de Beauchamp, the first and only one of the family summoned to parliament.

Alexander, duke of Gordon, died in 1827, leaving issue five daughters, viz: Charlotte married to Charles duke of Richmond; Madelina married first to Sir John Sinclair, bart.; and secondly to Charles Palmer, esq., of Lockley Park, county of Berks; Susan married to William, duke of Manchester; Louisa married to Charles, second marquess Cornwallis; Georgiana married to John, fifth duke of Bedford. Duke Alexander also had two sons; Alexander the youngest died *vitâ patris*, unmarried; and George his eldest and only surviving son was his successor; which

George, fifth duke of Gordon and, second baron Mordaunt, died s.p., in 183—, when the barony of Mordaunt, and interest in the barony of Beauchamp, of Bletshoe, fell into abeyance between his five sisters and coheiresses.

MORLEY.—(28 Edw. I.)

WILLIAM DE MORLEY, a distinguished commander in the wars of Scotland, had summons to Carlisle the 26 Edw. I., *equis et armis*, being named in the writ *a baron*, the earls and barons therein mentioned having their ranks distinguished by their respective degrees;* after this he had summons to parliament the 28, 32, 33, and 34 Edw. I., inclusive. His son and heir,

* Dugd. Lists
of Summ.

Robert de Morley, married Hawyse, daughter, and at length heiress of William le Mareschall, baron of Hengham, in the county of Norfolk, and marshall of Ireland,) sister and heiress to her brother John Mareschall,) by which alliance he acquired that high hereditary office. He was admiral of the English Fleet, and had other eminent offices, and was summoned to parliament from the 11 Edw. II. to the 31 Edw. III., in whose 34th year he died, full of honour.

William de Morley his son and heir, had summons from the 38 Edw. III. to the 2 Ric. II., and died circ. the 4th, leaving Cecily his wife, daughter of Thomas lord Bardolph, surviving, and

Thomas de Morley his son and heir,^a who had summons from the 5 Ric. II. to the 4 Hen. V., about which time he deceased. He married Anne, daughter of Edward lord Despenser, by which lady he had issue Robert his son and heir apparent, who died in his lifetime, having married Isabel, daughter of John lord Molines, and had issue a son Thomas, successor to his grandfather; which

^a *Vide Rot. Parl. vol. iii. p. 130, no. 16.*—Petition of Thomas, son and heir of William de Morley, to execute the office of Marshall of Ireland by deputy.

Thomas de Morley had summons to parliament from the 5 to the 13 Hen. VI.; and died shortly after.^a He married Isabel, daughter of Michael de la Pole, earl of Suffolk;^b and had issue

Robert de Morley, his son and heir, then aged seventeen, who, the 20 Hen. VI., had summons to parliament, and died the year following, leaving, by Elizabeth his wife, daughter of William lord Roos, an only daughter and heir Alianore only six months old, who afterwards married William Lovel, second son of William lord Lovel, of Tichmersh.

LOVEL BARON MORLEY.—(9 EDW. IV.)

WILLIAM LOVEL having married the said Alianore, daughter and sole heir of Robert lord Morley, had summons to parliament in her right the 9 Edw. IV., by the title of "*William Lovel de Morley Chivalier*," and also the 49 Hen. VI. After when he died, in July, 1476, leaving Alianore his wife surviving, and two children, viz., Henry and Alice Lovel; which

Henry Lovel, second of his family lord Morley, was then in minority; and on arriving at full age had in 1489 special livery of all his lands; but was never summoned to parliament. He was slain at Dixmude, in Flanders, the 4 Hen. VII. He married Elizabeth, daughter of John de la Pole, duke of Suffolk, by Elizabeth Plantagenet, daughter of Richard duke of York, father of king Edw. IV.; but not having any issue, the barony of Morley devolved upon his only sister and heiress Alice, who married, first, Sir William Parker, knight; and secondly Sir Edward Howard, (second son of Thomas, duke of Norfolk,) whom she survived, but had not any issue by him.

PARKER BARON MORLEY.—(14 HEN. VIII.)

SIR WILLIAM PARKER, who thus married the heiress of the last Lovel lord Morley, was standard bearer, and of the privy council to king Ric. III., and died in 1510, leaving by Alice his wife,

Henry Parker his son and heir, who, the 14 Hen. VIII had summons to parliament by the name of "*Henry Parker de Morley Chivalier*;"^{*} and from thence to the 3 Phil. and Mary, inclusive. In the 25 Hen. VIII. he had a controversy with the lord Dacres, of Gillesland, for precedence, which was adjudged to him. He married Anne, daughter of Sir

* Dug. Lists
of Sum.

^a In Dugdale's printed Lists of Summons there appears an error, (probably typographical) in reciting the name of *John de Morley*, instead of *Thomas*, as summoned the 11 Hen. VI.

^c In Lodge's Peerage of Ireland, (vol. ii., p. 167,) there is a note which makes this Isabel daughter and sole heir of Michael De la Pole. In De la Pole, Dugdale says she died before the 10 Hen. V. unmarried, citing Claus 10 Hen. V.

John St. John, of Bletshoe, and had by her a son Henry, created a Knight of the Bath at the coronation of queen Anne Bullen, who died before him, leaving by Grace his wife, daughter of John Newport, *èsq.*, a son Henry, who on his death, the 3 Philip and Mary, was his successor. This

Henry, second Parker lord Morley, having succeeded his grandfather had summons to parliament to the 14 Elizabeth, inclusive. By Elizabeth his wife, daughter of Edward, earl of Derby, he had issue

Edward, the third Parker baron Morley, his son and heir, who had summons to parliament from the 23 Elizabeth, to the 12 James I., and died the 16 of the same reign. In the 29 of queen Elizabeth he was one of the peers who gave judgment of death against Mary queen of Scots; so likewise was he one of the peers, who, the 32 Elizabeth, gave similar judgement upon Philip, earl of Arundel; as also in the 43 Elizabeth upon Robert, earl of Essex. He married Elizabeth, sole daughter and heir of William Stanley lord Monteagle, and by her had William his son and heir, which

William, fourth Parker baron Morley, had summons *vitâ patris* as lord Monteagle, and succeeding his father coalesced the barony of Morley with that of Monteagle, as under the said title has been before mentioned.*

* Vide
Monteagle.

MORTIMER.—(22 EDW. I.)

THIS is one of the many eminent Norman families which came over with the Conqueror, and assisted him in his proud acquirement of the English throne,^a and according to heraldic story, is represented to have been by consanguinity allied to him;† though, according to the law, bastards are not considered to have any legal relatives.

† Dugd. Bar.
vol. i. p. 138.

Roger, or Ralph de Mortimer, the first who came into England, obtained by force of arms the castle of Wigmore, in the Marches of Wales, which with very numerous manors in divers counties, he possessed at the time of the general survey. From him, after several successions, descended

Roger de Mortimer, famous for the tournament he held at Kenilworth, temp. Edw. I., where he sumptuously entertained for three days one hundred knights and as many ladies, the like whereof had never before been known in England. He died circ. 10 Edw. I. having married a great coheiress, Maud, one of the daughters of William de

^a No conquest was ever more complete. The crown of England has continued ever since in his descendants; and the nobility boast with pride their lineage from some one of those who were in his retinue; whereas notwithstanding the glorious victories of the British arms to conquer France, they were eventually totally driven out, and England cannot show that she retains a single village, or an acre of land in that country, as the result of her pretended conquest. If conquest imports acquisition, the glory is to France. If it imports merely victory, the shadow of it is with England.

Braose, of Brecknock, by Eve his wife, one of the sisters and coheirs of Anselm Mareschall the last of his name earl of Pembroke. By her he had issue several sons, whereof, Sir Ralph, the eldest, died before him; Edmund was his successor; Roger was lord of Chirke;* Sir William died s.p.; and Sir Geffery died vitâ patris.

* Vide
Mortimer of
Chirke.

Edmund de Mortimer, eldest surviving son of Roger, had summons to parliament from the 22 to the 30 Edw. I., inclusive, shortly after which he died, leaving

Roger Mortimer his son and heir, who had summons to parliament from the 27 Edw. I. to the 30th, in the lifetime of his father. In the 29 Edw. I. he was one of those who in the parliament at Lincoln subscribed the famous letter to the pope, being then designated "*Rogerus de Mortuo mari Dominus de Penketlyu*,"† to which parliament his father Edmund being also summoned, subscribed the said letter by the denomination of "*Edmundus de Mortuo mari Dominus de Wigmore*." He was afterwards summoned to the

† Dugd. Lists
of Summ.

‡ Coron. Rot.
1 Edw. II.

35 Edw. I.; but in the 1 Edw. II. (to whose coronation he had summons,)‡ he had the addition of *de Wigmore* to his name, and the same in the subsequent writs to the 10 Edw. II., from which time he was not again summoned till the 20th: after then he was created earl of March, by which title he was summoned to a great council at Westminster the 3 Edw. III.,§ having been summoned till then as Robert Mortimer de Wigmore. His earldom however was of short duration; for being, as the general Histories relate, the great favourite of Isabel, the adulterous queen of Edw. II., he was suddenly surprised at the castle of Nottingham, was secured, and being accused in parliament of certain high crimes and found guilty, he was ignominiously executed on the common gallows near Smithfield, and being attainted all his honours were forfeited. He married Joane, daughter of Peter, son of Geffery de Genevil, lord of Trim in Ireland, and thereby on her death, that lordship and other great estates came into his family.

§ Dugd. Lists
of Summ.

Edmund his eldest son, had not his father's title of earl, by reason of his attainder, but he was summoned to parliament as *Edmund de Mortimer* the 5 Edw. III., and died in the flower of his age the same year, leaving by Elizabeth his wife, one of the daughters and at length coheirs of Bartholomew lord Badlesmere, (who survived him, and remarried William de Bohun, earl of Northampton,) Roger his son and heir, which

Roger Mortimer was then only three years old; but in the 20 Edw. III., though he had not fully come to his majority, the king was pleased to take his homage and give him livery of his lands, and he had summons to parliament from the 22 to the 28 Edw. III. as *Roger Mortimer*, excepting in the 24, 25, and 27, with the addition of *de Wigmore*. Having obtained the full reversal of his grandfather's attainder, he was summoned to parliament the 29 Edw. III. as earl of March, which title he thenceforth continued to enjoy till his death, the 34 Edw. III. By Philippa his wife, daughter of William de Montacute, earl of Salisbury, he had a son Roger, who died before him, and

Edmund Mortimer, earl of March, his surviving son and heir, who died the 5 Ric. II.,

being only twenty-nine years of age. He married Philippa, daughter and heir of Lionel, duke of Clarence, son of king Edw. III., by Elizabeth his wife, daughter and heir of William, son and heir of John de Burgh, earl of Ulster, in Ireland, by which match he acquired the third part of the earldom of Gloucester, in England, with the county of Ulster, and dominion of Connaught, in Ireland. By this great heiress he had issue, Roger, his successor; Sir Edmund, who married the daughter of Owen Glendour; and Sir John, who was executed for treasonable practices, temp. Hen. VI.

Roger, next earl of March, son and heir of earl Edmund, died the 22 Richard II., leaving by Alianor his wife, daughter of Thomas Holland, earl of Kent, Edmund his son and heir; Roger who died s.p.; and two daughters, Anne, and Alianor, which last married Edward, son of Edward Courtenay, earl of Devon, and died s.p.

Edmund, who succeeded his father, was the last earl of his family, and died the 3 Hen. VI., s.p., being then aged about twenty-four years, according to Dugdale;* but as the same learned herald has before stated that he was born on St. Leonard's day, the 15 Richard II., he must have been aged about thirty-four, rather than twenty-four^a years; whereupon Richard, duke of York, son of Anne his sister, by Richard, earl of Cambridge, her husband, was by inquisition found to be his heir, and at that time fourteen years of age.†

* Dugd. Bar.,
vol. i. p. 151.

† Ibid.

This Richard, duke of York, was father of Edward, afterwards king Edw. IV., and thus the great inheritances of the Mortimer family merged in the crown.

MORTIMER OF RICHARDS CASTLE.—(25 EDW. I.)

ROBERT MORTIMER of the same family as the preceding, married Margery, daughter and heir of Hugh de Say (relict of Hugh, son of Walcheline de Ferrers),‡ and thereby acquired Richards Castle.^b In the 12 Henry II. he certified the knights' fees of this honour to be twenty-three; his grandson

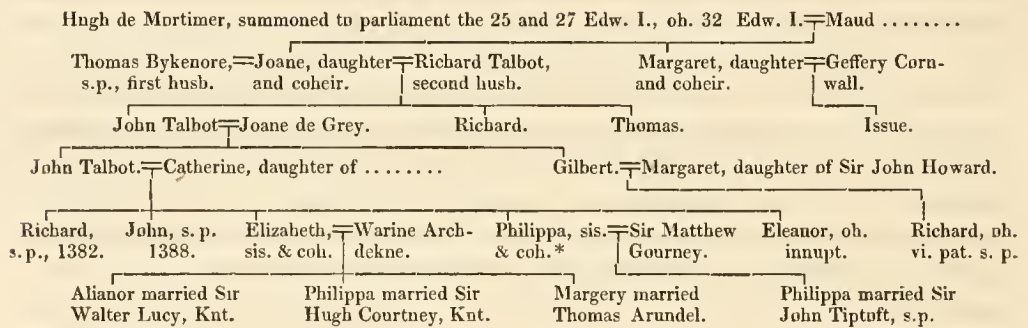
‡ Morant,
vol. i., p. 341.

Robert de Mortimer married Joyce, the daughter and heir of William le Zouche, and died the 15 Edw. I. leaving his wife surviving, and Hugh, his son and heir, as also a younger son William, who took the name of Zouche, and was thence denominated Zouche of Mortimer.

^a King Richard reigned twenty-two years; Hen. IV. nearly fourteen; Hen. V. nearly ten. Therefore allowing for the interstices of time, from the birth of earl Edmund, the 15 Richard II. to the 3 Hen. VI., he must have been then thirty-four years old at the time of his death, or nearly that age.

^b Dugdale in his account of the SAYS of Richards Castle, (vol. i., p. 454,) differs from his account above mentioned, under Mortimer, and states that the daughter and heir of Hugh de Say, married Hugh de Ferrers, whose daughter and heir Margery married Robert Mortimer, and afterwards William de Stutevill.

Hugh de Mortimer, the eldest son, was summoned to parliament the 25 and 27 Edw. I., as *Hugh de Mortimer*, without any distinction of place; he was also summoned *equis et armis* to Carlisle the 26 Edw. I., being in the writ styled a *baron*, when the earls and barons therein mentioned were all distinguished by their respective ranks; but he was never summoned after the 27 Edw. I. He died the 32 Edw. I., leaving Joane his eldest daughter, aged twelve, Margaret his youngest, eight years of age, and Maud his wife surviving; of which daughters, Joane married Thomas de Bykenore, and after his death s.p., Richard, a younger son of Richard lord Talbot, of Eccleswell, in the county of Hereford, who with her had Richards Castle; Margaret, the youngest, married Geffery Cornwall; but not any of the descendants from either coheir were ever summoned to parliament.



* Blore, p. 44, Rutland, says she married Sir John Tiptoft, citing Esch. 18 Richard II., n. 53, and Pat. 9 Hen. IV., p. 1, m. 3.

MORTIMER OF ATTILBERGH.—(22 EDW. I.)

WILLIAM DE MORTIMER, of Attilbergh, in the county of Norfolk, had summons to parliament the 22 and 25 Edw. I., by the description of *William de Mortimer de Attilbergh*; but having been taken prisoner in France, he was carried to Paris, where, according to Dugdale, he died,* being then called *William de Mortimer, of Kingstone*. By Alice his wife, he had issue,

* Esch. 25
Edw. I., n. 45,
Dugd. Bar.,
vol. i., p. 154.

† Blomefield's
Norfolk.

Constantine Mortimer his son and heir, who at his father's death was in minority, and died in 1334,† and was interred in Mortimer's chapel. By Sibyl his wife he had issue Constantine, Robert, and Thomas: of these sons,

‡ Dugd. Lists
of Summ.

Constantine was his successor, and the same it is presumed, who the 16 Edw. III., had the summons to a great council to be holden at Westminster, but the meeting of which was prorogued,‡ and he never after had the like summons. He died s.p., leaving

Robert Mortimer his brother and heir, who never had any summons. By Margery his wife he had two sons, viz. : Thomas and Constantine ; which last was of Great Elingham and Bernham, in the county of Norfolk. The eldest son,

Thomas Mortimer, died in the lifetime of his father, having married Mary, daughter of Nicholas Park, (mother, by a former husband, of the celebrated Sir John Falstaff,) and by her had three daughters his coheiresses, viz :*

Elizabeth, married first to Ralph Bigot, of Stockton ; secondly to Henry Pakenham ; and thirdly to Thomas Manning, and had issue by her first and last husband.

Cecily, married first to John de Herling ; and secondly to Sir John Ratcliffe, by both of whom she had issue.

Margaret, wedded Sir John Fitz-Ralph, whose grandson, another John, left two daughters his coheirs ; whereof, Elizabeth married Robert Chamberlayne ; and Maud, Sir Robert Conyers.

* Blomefield's
Norfolk, vol. i.
p. 346. fol. ed.

MORTIMER OF CHIRKE.—(1 EDW. II.)

ROGER DE MORTIMER, a younger son of Roger lord Mortimer, of Wigmore, by Maud, (or Matilda,) daughter of William de Braose, of Brecknock, had summons to most of the parliaments from the 1 to the 14 Edw. II., as *Roger de Mortimer de Chirke* ; and in the writ of the 5 Edw. II. is styled a baron ; the earls and barons being designated therein by their respective ranks. He deceased the 10 Edw. III., leaving, by Lucia his wife, daughter of Sir Robert de Wafre, a son,

Roger de Mortimer, who was never summoned to parliament. He married Joane (or Juliana) de Turberville, and had a son John, who sold the lordship of Chirke to Richard Fitz-Alan, earl of Arundel,† and after that period, though his posterity long continued in the male line, none were ever summoned to parliament.

† Ibid. p. 155.

SIMON DE MORTIMER.—(24 EDW. I.)

FOR this person, unnoticed by Dugdale, vide Vol. II.

MOUBRAY.—(22 EDW. I.)

THE first person mentioned of this name was Robert de Moubray, (or Mowbray) earl of Northumberland, temp. William Rufus, nephew of Geoffrey, bishop of Constance,‡ but

‡ Dugd. Bar.,
vol. i., p. 56.

whence the name originated does not appear. This earl Robert being in rebellion against king Hen. I., had his earldom and lands forfeited, which last were given by the king to Nigel de Albini, whose father Roger is said to have married Amicia de Moubray, sister to earl Robert.

Roger de Albini, son and heir of Nigel, becoming possessed of the lands of Moubray, by the special command, as it is related,* of king Henry, took the surname of Moubray, and was progenitor of the succeeding dynasty.

William, grandson of Roger, was one of the celebrated twenty-five barons appointed to enforce the observation of the Magna Charta, temp. king John. His eldest son and heir Nigel dying s.p., he was succeeded by his brother Roger, father of another

Roger de Moubray, who had summons to parliament the 22, 23, 24, and 25 Edw. I., and died the year following, leaving John his son and heir, which

John de Moubray had summons from the 1 to the 14 Edw. II., as *John de Moubray*. He married Aliva, daughter and coheir of William de Braose, of Gower,^a and thereby acquired that inheritance. Having joined in the insurrection under the earl of Lancaster, he was among those who were taken prisoners at Boroughbridge, and was afterwards hanged at York, 15 Edw. II. His son and heir,

John de Moubray, found great favour from Edw. III., and had livery of his lands before he came at full age. He was summoned to parliament from the 1 to the 34 Edw. III., and died the year following, having had issue by Joane his wife, one of the daughters of Henry, earl of Lancaster.

John de Moubray, the fourth baron, who had summons from the 36 to the 39 Edw. III., as "*John de Moubray, de Axiholm*," but was slain near Constantinople, on his way to the Holy Land, the 42 Edw. III. He greatly advanced his family by marriage with Elizabeth, daughter and heir of John lord Segrave, by Margaret his wife, daughter and coheir of Thomas of Brotherton, earl of Norfolk, and marshal of England, son of king Edw. I., by his second queen. By this great lady he had issue two sons, whereof,

John, fifth lord Moubray, his eldest son and heir, at the coronation of Richard II. was created earl of Nottingham, but died soon after, unmarried, leaving

Thomas de Moubray, his brother and heir, who the 6 Richard II. was created earl of Nottingham, and three years after was constituted Earl^b Marshall of England for life. After when, the 20 Richard II., he obtained a confirmation† of the office, with the name and honour of Earl Marshal of England, to him and the heirs male of his body, and that they by reason of the said office, should bear "*a golden truncheon enamelled with black*

† Rot. Parl.,
20 Ric. II., v.
iii., pp. 343-4.

^a This barony (if it was one) fell into abeyance between Moubray and Bobun of Midhurst, which does not appear to have been ever determined, though the family of Howard, eventually coheirs to Moubray, included it with their Norfolk honours.

^b Sandford says he was the first earl Marshal; for before him they were only Marshals.

at each end, having at the upper end the king's arms; and at the lower, their own arms engraven thereon."

Moreover, the 21 Richard II. he was created duke of Norfolk; and his grandmother, the countess Margaret (then living) was at the same time created duchess of Norfolk.* But after all this greatness he fell into disgrace,† for being accused by Henry, duke of Hereford (afterwards king Hen. IV.) of having spoken words disrespectfully of the king, a challenge thereupon ensued; a day for combat was appointed; the noble dukes entered the lists;‡ but the king, when they were about to engage, forbade the combat. The duke of Norfolk was banished for life, the duke of Hereford for ten years. The duke of Norfolk retired abroad, and died at Venice of the pestilence; but according to Sandford§ of grief, anno 1400, 1 Hen. IV. By his second wife, Elizabeth, sister and coheir of Thomas Fitz Alan, earl of Arundel, he had two sons, Thomas and John; also two daughters, Isabella (or Isabel) who married Sir James Berkeley, knight; and Margaret, Sir Robert Howard, whose issue became eventually his coheirs.

* Rot. Parl.,
21 Ric. II.,
v. iii., p. 355.
† Banks's
Dorm. & Ext.
Baron., vol. ii.

‡ Sandford's
Geneal. Hist.

Thomas, the eldest son, was in minority at his father's death. He never had the title of duke, and Dugdale says, nor any other but that of Earl Marshal; but taking part in a conspiracy to dethrone the king, he with others was beheaded at York the 6 Hen. IV., but not having any issue he was succeeded by

John de Moubray, his brother and heir, who, the 1 Hen. V., by writ addressed *Johanni Comiti Mareschallo*, was summoned to parliament; and from thence, by the same title, to the 3 Hen. VI., inclusive;§ but in the next year, 4 Hen. VI., he had summons as duke of Norfolk,|| having, in the words of Dugdale, *been restored to that dignity in the parliament holden at Westminster the 3 Hen. VI.*¶ But as the act of banishment against his father was not attended with any attainder, there was no forfeiture incurred, and therefore it does not appear that, although his elder brother Thomas only used the title of Earl Marshal, he was incapable to succeed his father in the dukedom. The proceedings in the parliament at Westminster do not contain any enactment of restoration, the decision was merely a *recognition of right*; they originated in a controversy between this John, Earl Marshal, and the earl of Warwick for precedence; the Earl Marshal alledging that he was earl of Norfolk by descent, as heir as well to that title as to the arms royal of England, from Thomas of Brotherton, earl of Norfolk, younger son of king Edw. I., and so created by his brother of the half blood, Edw. II., anno 6 of his reign, to him and his heirs for ever. But this dispute, after divers hearings, was terminated by reason that the said John, Earl Marshal, was heir to the dukedom of Norfolk, and as

§ Dugd. Lists.
of Summ.
|| Ibid.

¶ Dug. Bar..
vol. i., p. 130.

^a Vide a detailed account of the splendid entry of the two distinguished combatants into the lists prepared for their encounter, in Smollet's History of England, under the reign of Richard II.

^b In Dugdale's Writs of Summons the 1 and 2 Hen. VI., the name is printed *Thomas*, instead of *John*, *Earl Marshal*, but in the 3 Hen. VI., it is then printed *John*.

such was adjudged to bear that title with a reservation to his heirs, as to the question of precedence as earl of Norfolk*

* Rot. Parl.,
vol. iv., á p.
267, ad p. 275.

Having thus had the title of duke of Norfolk confirmed to him, he thenceforth bore the same, and had summons to parliament by it till his death the 11 Hen. VI.

By Katherine his wife, daughter of Ralph Nevil, earl of Westmorland, he left issue John his only son and heir, which

John de Moubray, duke of Norfolk, died the 1 Edw. IV., leaving by Eleanor his wife, daughter of William lord Bouchier, an only son and heir,

John de Moubray, the last duke of Norfolk of his family, who, the 29 Hen. VI., in the lifetime of his father, had been created earl Warren and Surrey, titles which had been enjoyed by the Fitz Alan family; whereof Thomas de Moubray, the first duke of Norfolk, had married Elizabeth, one of the sisters and coheirs to Thomas, earl of Arundel and of Surrey.† He died circ. 15 Edw. IV., having married Elizabeth, daughter of John Talbot, earl of Shrewsbury, and had issue an only daughter and heiress, Anne, which

† Banks's
Dorm. & Ext.
Bar., vol. iii.

Anne Mowbray, by reason the titles of duke of Norfolk, and earl Warren and Surry, were limited to issue male, could not succeed to either; but the baronies of Moubray and Seagrave, with a moiety of the barony of Braose of Gower, being derivable from writ of summons, devolved upon her as heiress general of her family. She was contracted in marriage to Richard, second son of king Edw. IV., who by special charter created him duke of Norfolk, and earl Warren, to hold to him and the heirs male of his body;‡ but the fate of this young prince is well known, that he and his brother Edward V. were both smothered in the tower, s. p. Thus the marriage was never consummated; and there not being any issue of the body of this lady Anne, the baronies of Moubray and Seagrave fell into abeyance between the families of Berkely and Howard, descended from Isabel and Margaret, the two daughters, and at length coheirs of Thomas de Mowbray, first duke of Norfolk. The abeyance of the barony of Seagrave does not appear to have been ever determined. But the 15 Cha. I., Henry, eldest son of Thomas Howard, earl of Arundel, had summons to parliament by writ, viz: *Prædilecto et fideli suo Henrico Moubray Chiv' (primogenito Thomæ Comitæ Arundeliæ.)* Teste &c., 21 Martii.§

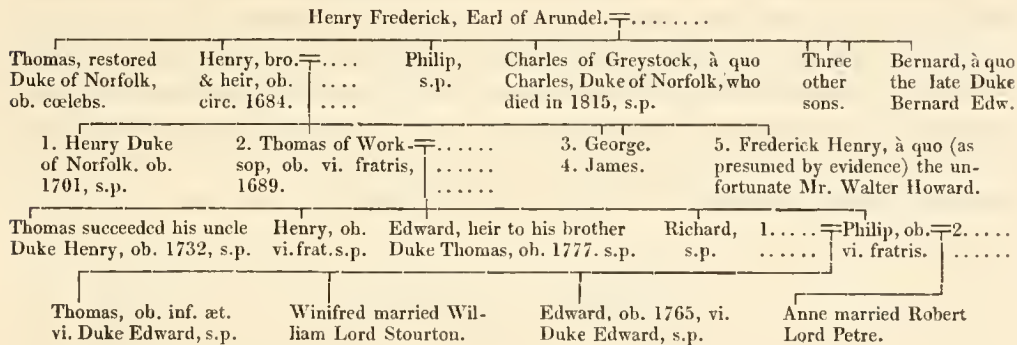
§ Dugd. Lists
of Summ.

In the 31 and 32 Car. II., Henry, eldest son of Henry, duke of Norfolk, had summons by writ directed, "*Henrico Moubray, Che'r primogenito Henrici Ducis Norff;*" and was introduced and placed in the upper end of the barons' bench, 28 January, 1677.|| This barony of Moubray, with the coheirship to the baronies of Seagrave, and Braose of Gower, continued in the Howards, dukes of Norfolk, until the death of Edward the duke, in 1777, s.p., when all the baronies in fee fell into abeyance between the daughters and coheirs of lord Philip Howard, his brother, viz: Winifred, the eldest, who married William lord Stourton; and Anne, the youngest, who married Robert lord Petre. The dukedom of Norfolk, with the earldom of Arundel, and the other honours annexed

|| Journ. Dom.
Proc.

thereto, by the act of parliament of the 3 Car. I., and by various subsequent acts, settlements, and patents, devolved upon the next heir male, in the person of Charles, grandson of Charles Howard, of Greystock, brother to Henry, grandfather of him the said duke Edward^a; which

Charles Howard, so succeeding to the dukedom of Norfolk, and the entailed honours, died in 1786, leaving Charles his only son and heir, the next duke; who died in 1815, s.p., when the Norfolk honours again reverted to a collateral younger branch of the family in Bernard Edward Howard, the fag end of an old stock nearly worn out by decrepitude; which Bernard Edward, late duke of Norfolk, left issue an only son his successor, and now duke; concerning whose legitimacy, much may be seen by the perusal of the evidence given on the action for adultery brought by his father against colonel Bingham, afterwards earl of Lucan.



MULTON OF GILLESLAND.—(1 EDW. II.)

THOMAS DE MULTON having given one thousand marks to the king (John) for the wardship of the two daughters and coheirs of Richard de Lucie, baron of Egremont, in the county of Cumberland; afterwards married them to his two sons Lambert and Alan, whom he had by ——— his first wife. Of these sons, Lambert married Annabel the eldest daughter, and had a son Thomas, who continuing his paternal name, was called *Thomas de Multon, of Egremont*. Alan the other son, married Alice the other daughter and coheir of Richard de Lucie, and had a son also called Thomas, who assumed his mother's name of Lucie, as has before been mentioned under that article.*

* Vide Lucie.

^a Vide Memoirs of Walter Howard, and the way in which his nearer consanguinity to the right of succession upon the death of duke Edward, in 1777, was resorted to, for the purpose of mystifying his descent; a curious and very interesting pamphlet; 8vo., very scarce.

The said Thomas, father of Lambert and Alan de Multon, married to his second wife, Ada, widow of the aforesaid Richard de Lucie, and daughter and coheir of Hugh de Morville, by Ada his wife, daughter and heir of William Engayn, by Ibria his wife, daughter and heir of Robert D'Estrivers, baron of Burgh-upon-the-Sands, and hereditary forester of Cumberland. By this great heiress he had Thomas his son, who on his death, the 24 Hen. III., was the heir to his mother's inheritance. This

Thomas de Multon married Maud, daughter and heir to Hugh de Vaux, baron of Gillesland, and dying the 55 Hen. III., was succeeded by

Thomas de Multon, his son and heir, who died the 21 Edw. I., leaving a son and heir

Thomas de Multon, who deceased very shortly after his father, viz., the 23 Edw. I., leaving Thomas his son and heir, aged thirteen, and Isabel his wife surviving, which

Thomas paying his baronial relief of one hundred pounds, when he came of age, had livery of his lands, and had summons to parliament from the 1 to the 7 Edw. II. inclusive, as *Thomas de Multon, de Gillesland*, by which denomination he also had summons to the coronation of king Edw. II.* He died soon after his last writ of summons, leaving by Margaret his wife, a sole daughter and heiress Margaret, who married Ranulph de Dacre, and carried the barony of Gillesland into that family, which is now represented by the present Baron de Dacre, heir general of Multon and De Dacre.†

* Coron. Rot.
1 Edw. II.

† Vide Dacre.

MUSGRAVE.—(24 Edw. III.)

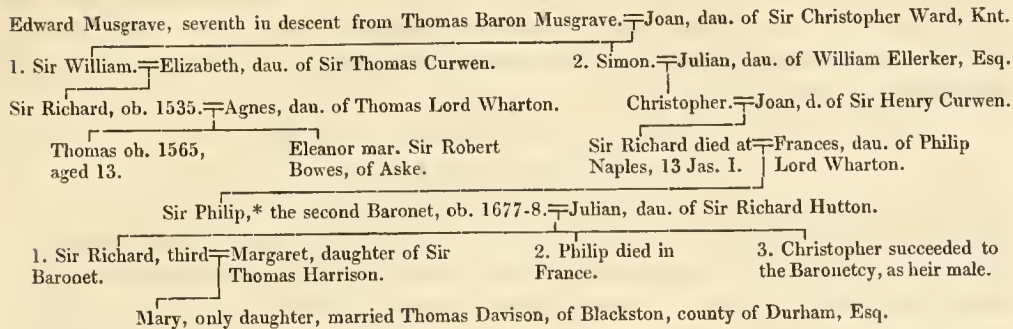
THOMAS MUSGRAVE, of a very ancient family, though none were ever before called to parliament, had summons thereto from the 24 to the 47 Edw. III.; but never after, nor any of his descendants, who continued long after. He was a very distinguished commander in the wars of Scotland, but the 2 Ric. II. had the mischance to be taken prisoner, when he gave mainpevnors, or securities, for the payment of his ransom: yet when the time for payment became due, he refused to make it; so that it fell to his mainpevnors to discharge it; of which complaints being made to the king, he ordered his lands to be seised. This detracts not a little from his character as a baron of the realm, and a soldier; but if this barony is one claimable at this day, it is to be hoped more honour runs in the blood of the heir thereto, who is said to be Thomas Davison Bland, esq., of Kippax Park, in the county of York.‡

‡ Ex. MS.
Inf. Wm. Penn.
Arm.

He died circ. 7 Ric. II., leaving male issue; from whom descended Sir Richard Musgrave, of Hartley Castle, the third baronet, whose only daughter and heir general, Mary, married Thomas Davison, of Blackstone, in the county of Durham, esq. Dugdale only notices one wife of Thomas the baron, namely, Isabel, widow of Robert, son of

Robert lord Clifford ; but other authorities assert she was his third wife ;* and which, by perusal of Dugdale's account of the family,† and that he married her the 44 Edw. III., and had a son Thomas, a knight, the 2 Ric. II., who was taken prisoner with his father, appears the most correct.

* Kimber's Baronetage, v. i., p. 45.
† Baron, v. ii., p. 153.



* He is said to have had a warrant for creating him Baron Musgrave, of Hartly Castle, but never took out the patent,—but query this fact.

NEREFORD.—(22 EDW. I.)

WILLIAM DE NEREFORD had summons to parliament the 22 and 25 Edw. I., but never after. He died the 29 Edw. I., having married Petronilla, one of the daughters and co-heirs of John de Vaux, who survived him, and died anno 1326.

John de Nereford, his son and heir, was never summoned. He died s. p., leaving Thomas his brother and heir, who was never summoned. He left issue,

Sir John de Nereford, who was slain in France circ. 38 Edw. III., leaving Margaret his sole daughter and heir, who died unmarried, anno 1417.^a

MUNCHENSI.—(45 AND 49 HEN. III.)

WILLIAM DE MUNCHENSI, son and heir of Warine de Munchensi, a great and powerful baron, was one of those summoned to the parliament convened to meet at London,

^a *Vide Rot. Parl., v. iii., p. 39, m. 4.*—Petition of Alice Nevil, widow of Sir John Nereford, (who after his death had married Sir John Nevil, of Essex,) respecting the forcible seizure of Margaret, her daughter, from the house of her grandmother Alice, i. e., mother of John Nereford, father of her the said Margaret.

Maud de Nereford, concubine to John the last earl Warren, by whom he had two sons, who bore the name of Warren, is supposed to have been a daughter of William de Nereford.—(*Vide Dugdale and Banks's Dormant and Extinct Baronage.*)

* Claus. Rot.,
m. 3., in Dors.

† Dug. Lists
of Sum.

‡ Weaver's
Fuo. Mon.

by the king's writ, the 45 Hen. III.*; and being one of those great men in arms against the king, under Simon de Montfort, had summons to that parliament which was called by them in the king's name to assemble in London the 49 Hen. III.† He was taken prisoner by the king's forces a little before the battle of Evesham, and his lands were seized; but afterwards, on the accession of king Edw. I., he obtained his pardon. He died circ. 17 Edw. I., leaving an only daughter and heir Dionysia, who married Hugh de Vere, a younger son of Robert, earl of Oxford. Dionysia, his wife, was buried in the Grey Friars, London.‡

MUNCHENSI.—(45 HEN. III.)

§ Baron.,
v. i., p. 565.

|| Claus., m. 3,
in Dorso.

BESIDES the before named William, there was another William de Munchensi, (or Monte Canisio, as sometimes written,) who, according to Dugdale,§ was of Edwardston, in the county of Suffolk, and was a younger brother to Warine, father of the first named William. His name appears also in the writ of summons to the parliament called by the king the 45 Hen. III.|| He married one of the daughters and heirs of William de Beauchamp, baron of Bedford, and had male issue, but none of them ever had summons to parliament.

MULTON OF EGREMONT.—(25 EDW. I.)

IN the time of king Hen. I. mention is made of Thomas de Multon, so named from the place of his residence, at Multon, in the county of Lincoln. From whom descended

Lambert de Multon, who married Annabel, eldest of the two daughters and coheirs of Richard de Lucie, (or Lucy) baron of Egremont, in the county of Cumberland; and had issue,

Thomas, called Thomas de Multon, of Egremont, from having acquired that manor, or barony. He left a son of his own name,

Thomas de Multon, who had summons to parliament from the 25 Edw. I. to the 14 Edw. II. He was one of those who in the parliament at Lincoln, the 29 Edw. I., subscribed the letter to pope Boniface, by the description of "*Thomas de Multon, Dominus de Egremont*;" and by the same denomination had summons to the coronation of king Edw. II.¶ From the 1 Edw. II. to the 14, he was stiled in the writs of summons "*Thomas de Multon de Egremont*;"** and in the writs of the 5 Edw. II. he is distinguished as a *baron*; the earls and barons then summoned being therein noted by their respective ranks.†† He died the 15 Edw. II., and was succeeded by

John de Multon, his son and heir, who had summons from the 6 to the 8 Edw. III., but died shortly after, in the same year, s.p., leaving his three sisters his coheirs,

¶ Coron. Rot.
1 Edw. II.
** Dug. Lists.
of Summ.

†† Ibid.

viz: Joan, wife of Robert lord Fitz Walter; Elizabeth, wife of Walter de Bermingham; and Margaret, wife of Thomas de Lucie; in whose descendants and representatives the barony remains in abeyance, never yet determined.

NEVILL OF RABY.—(22 EDW. I.)

THIS very noble and ancient family in the male line is descended from Robert Fitz Maldred, lord of Raby, in the county of Durham, traditionally sprung from Uchtred, earl of Northumberland, in the days of king Edmund Ironside.* This

* Dugd. Bar.,
vol. i., p. 291.

Robert Fitz Maldred married Isabel, sister and heir to Henry Nevill, and only daughter and heir of Geoffrey Nevill, by Emma his wife, daughter and heir of Bertram de Bulmer, lord of Branspeth, in the county of Durham; which Geoffrey, on the authority of the heralds, was grandson of Gilbert de Nevill, admiral of the fleet of William the Conqueror.

Geoffrey, son and heir of Robert Fitz Maldred, and Isabel Nevill, assumed his mother's name, and had issue Robert, whose grandson Ralph, (son of his son Robert, who married Mary, daughter and coheir to Ralph Fitz Randulph, lord of Middleham, and died vitâ patris,) was successor to him the said Robert, his grandfather; which

Ralph de Nevill had summons to parliament from the 22 Edw. I. to the 5 Edw. III.; but he was not summoned to the parliament at Lincoln, the 29 Edw. I., though his seal was affixed to the letter then written to the pope, being described "*Ranulphus Nevill de Raby*."† He died in 1331, and was succeeded by

† Dug. Lists
of Sum.

Ralph, his second surviving son and heir, (Robert, his eldest, having died before him, s.p.,) who had summons from the 5 to the 39 Edw. III., and died the next year, (1367,) leaving

John de Nevill his son and heir, who was summoned from the 42 Edw. III. to the 12 Ric. II., as *John Nevill de Raby*. He was twice married: his first wife was Maud, daughter of Henry lord Percy, by which lady he had Ralph, his son and heir; and Thomas, who having married the heiress of the barony of Furnival, was summoned to parliament, as under that title has been before mentioned.‡ His second wife was Elizabeth, daughter and heir of William lord Latimer, and by her he had a son John Nevill, who was called to parliament by that title; of which notice has before been taken under that article.§

‡ Vide Furnival.

§ Vide Latimer

NEVILL, EARL OF WESTMORLAND.

RALPH, eldest son and heir of John lord Nevill, by Maud Percy, had summons to parliament from the 13 to the 20 Ric. II., as *Ranulph de Nevill de Raby*; and the following

year, 21 Ric. II., was created earl of Westmorland. He was a shrewd politician and very artful man, took advantage of the times, interposed (as his interest served him) between the fluctuating parties of the day, and so managed to preserve himself in place, power, and favour. He married two wives, and had by them so many sons and daughters that the family of Nevill became the greatest house of alliance of any subjects in the whole kingdom. He died very old, circ. 4 Hen. VI. His first wife was Margaret, daughter of Hugh, earl of Stafford; his second, Joane Beaufort, natural daughter of John of Ghent, duke of Lancaster, by Catherine Swinford, by which Joane he had issue, first, Richard, who became earl of Salisbury,* and was father of Richard Nevill, the famous earl of Warwick, slain at Barnet; second, William, who was summoned to parliament *jure uxoris*, lord Fauconberg,† and was afterwards created earl of Kent; third, George, who was lord Latimer‡; fourth, Edward, who became lord Bergavenny,§ and whose male line still continues under the now title of earl of Abergavenny; and fifth, Cuthbert, who was bishop of Durham; and three other sons, who are said to have died s.p.

* Vide
Montagu.

† Vide
Fauconberg.
‡ Vide
Latimer.
§ Vide
Abergavenny.

His daughters by Joane Beaufort, were, Catherine, who married first, John Moubray, duke of Norfolk, and secondly, Sir John Widvile; Elizabeth, or Eleanor, who married, first, Richard lord Spencer, and secondly, Henry Percy, earl of Northumberland; Anne, who married, first, Humphrey Stafford, duke of Buckingham, and secondly, Walter Blount lord Montjoy; Jane, a nun; and Cecily, who married Richard, duke of York, father of the kings Edw. IV. and Richard III.^a

The issue of this great earl, by Margaret his first wife, was two sons, viz: John, who died before him, leaving a son Ralph the next earl; and secondly, Ralph, who married Margery, daughter and coheir of Sir Robert Ferrers of Oversley;|| also seven daughters, of which two were nuns, and the others married into the principal houses of the nobility.

|| Vide Ferrers
of Oversley.

Ralph, second earl of Westmorland, and grandson of Ralph, the first earl, had a son John, who died vi. pat. s.p., and therefore deceasing s.p.s., was succeeded by his nephew Ralph, son of his brother John, slain at Towton, 1461.

Ralph, third earl of Westmorland, had issue Ralph, his only son and heir apparent, who died before him, leaving Ralph his son and heir, which

Ralph, upon the death of his grandfather in 1523, succeeded as fourth earl of Westmorland, and left issue,

Henry, his son and heir, the fifth earl, whose son and successor, Charles, was the last earl of the great Nevill family. This

Charles, sixth earl of Westmorland, joining with the earl of Northumberland and others, in the insurrection the 13 Eliz., was attainted, and all his honours and very great

^a Vide an interesting and historical novel, entitled "*Cecily, or the Rose of Raby.*"

possessions forfeited. His life was saved and he retired abroad, where he lived to a very great age.

In an account of the pilgrims from England to Rome, it is mentioned, viz: "Anno 1581, May 22, *Comes Westmorlandiæ Anglus Dioc. Dunelmensis receptus fuit in hospitio cum tribus famulis.*" He was the last of the Nevills, earls of Westmorland, and was attainted for the rebellion in 1569. He died s.p.m., leaving four daughters, viz: Catherine, married to Sir Thomas Grey, of Chillingham; Elizabeth died unmarried; Margaret was wife of Nicholas Pudsey; and Anne married David, brother to Sir William Ingleby, knight; among which daughters the barony of Nevill, of Raby, would have fallen into abeyance, and the earldom of Westmorland have gone to the next heir male, had not the attainder confiscated all these honours.

The earldom was afterwards claimed by Edward Nevill lord Abergavenny, but it was adjudged against him the 2 James I., the decision being grounded on the statute of the 26 Hen. VIII., (c. 13), by which it is enacted, that in cases of treason the offender shall forfeit all such lands, tenements, and *hereditaments wherein he shall have any estate of inheritance*; thus making titles of dignity to come within the words *hereditaments and estate of inheritance*.

NEVILL OF ESSEX.—(9 EDW. III.)

SIR WILLIAM DUGDALE, in his account of this eminent family, notices many of the name, but without showing their connection (if any) with each other; though probably all descended from the same common ancestor. Yet it may be much doubted whether the Gilbert de Nevill, who, on genealogical story, is said to have come into England with the Conqueror, and to have been admiral of his fleet, ever filled that high command, as he does not appear to have had any lands at the general survey, which it might be presumed he would have obtained, provided he had been so distinguished an officer at that memorable period. He might have been pilot of the expedition, or boatswain of the Conqueror's own vessel.

Be that as it may, among others of the name, particular mention occurs of

Jollan de Nevill, a justice itinerant, temp. Hen. III.; by reason whereof, says Dugdale,* that MS. book in the exchequer (with the king's Remembrancer) containing the knights' fees throughout the greatest part of England (then certified) bears still the name of "*Testa de Nevill.*"

* Baron, vol. i., p. 288.

A Hugh de Nevill was about the same time,† who married Joane, granddaughter and coheir (with Margaret de Ripariis, her sister,) of William de Courcy, a great baron. His son and heir, John de Nevill, was justice of all the forests throughout England, but eventually died in disgrace, and was buried near his father's tomb, at the abbey of Wal-

† Ibid.

NEWMARCH.—(45 AND 49 HEN. III.)

SIR WILLIAM DUGDALE in his Baronage has given an account very confused and unconnected of this most ancient and eminent family, the principal branch of which seems to be the one which forms the subject of this notice.

Adam de Newmarch, according to Dugdale, was one of the rebel barons in the time of Hen. III., who had summons to the parliament of the 49 Hen. III., called by them in the king's name to meet in London;* but while this summons is thus mentioned, it is passed over that he was summoned to the parliament convened by the king himself (when not under durance) to meet in London anno the 45 Hen. III.,† four years antecedent; to which parliament, it is stated by Hollinshead, that the barons refused to attend, because it was not at Westminster, the usual place of assembling: yet this is a somewhat extraordinary objection, inasmuch as the place of meeting was the same as that appointed by the barons in their own writ of summons. The two summonses, however, manifest the degree of rank of the persons therein named. With this Adam de Newmarch Dugdale closes his account of the family, stating his so doing to be by reason neither he nor any of his descendants were ever again called to parliament.

* Claus. in Dorso., m. 1.

† Ibid., m. 3.

But from this stem it appears that Sir Thomas Wentworth, when he was created earl of Strafford, thought fit to assume the title of *baron Newmarch* among his honorial dignities, although it does not appear that any of the family of Newmarch ever had summons to any parliament, excepting Adam in the years before mentioned.

In this respect however the earl had precedents to follow. The earls of Oxford assumed the names of Sandford and Bolebec, as baronies vested in them, though no Sandford nor Bolebec was ever a baron by parliamentary writ.

The earls of Arundel similarly adopted the titles of barons Fitz Alan, Clun, and Oswestry, yet no such baronies ever existed by a parliamentary summons; and even had there been a summons, it could only have been Fitz Alan, lord of Clun and Oswestry, one barony, but not three. The dukes of Norfolk, heirs to the earls of Arundel, have incorporated the same titles with their dukedom, and to render the farce of dignity more evident, got them comprehended in an act of parliament for the entail to heirs of an almost interminable extinction. The earls of Northumberland in like manner assumed the title of baron Lucy, because they acquired the lands of Lucy; still they were not even descended from the blood of the barons Lucy, and had not the like descendants as the earls of Oxford and Arundel had from Sandford and Bolebec. Tenures in capite being abolished by the act of parliament of Charles II., the continuance to use titles which were appurtenant to land, and that land most probably no longer in the

possession of those who take upon them to bear such titles, must surely in these days be deemed a mimicry of nobility. How many are there among the great landholders in England, who possess by descent the ancient baronial lands of their ancestors, and yet do not pretend to style themselves barons, and even were they so to do, would not be allowed the high distinction of a parliamentary peerage. Of this there is a particular instance in the case of the Dymoke family, still holding their baronial manor of Scrivelby, and its dignified concomitant office of champion to the sovereigns of England on their coronation day,—the office allowed, and the title of baron negatived. The Boyntons still possess Burton-Agnes, in the county of York, descendable to them through the Somervilles, from the Stutevilles; but do not assume the title of barons Somerville, or Stuteville.

NORFOLK.—(6 EDW. II.)

THOMAS PLANTAGENET, (surnamed of Brotherton, from the place of his birth) son of king Edw. I. by his second wife, was by his half brother king Edw. II. created earl of Norfolk, to hold *to him and the heirs of his body*, in the sixth year of his reign;* and afterwards the 9 Edw. II. had the office of Marshall of England given to him, to hold to him and the *heirs male of his body*.† He married Alice, daughter of Sir Roger Halys, and had issue a son Edward, and two daughters, Margaret and Alice. Edward dying s.p., his two sisters were his coheirs; of these, Alice the youngest, married Edward de Montacute; and Margaret the eldest, married, first, John lord Segrave, and secondly, Sir Walter Manny, which Margaret styled herself countess of Norfolk, and was afterwards, by king Richard II., created duchess of Norfolk, for life.‡ She lived to a great age, and dying the year after her creation, was buried at the Fryers Minors in London.

This great lady having, by the failure of all issue from her sister Alice, become sole heiress of her father Thomas of Brotherton, earl of Norfolk, which earldom upon her decease, devolved upon her grandson Thomas, duke of Norfolk,§ in whose line it continued till the death of John, the fourth duke, whose only daughter and heiress, Anne, contracted in marriage to Richard, second son of Edw. IV., dying s.p., the earldom (for the dukedom had become extinct) fell into abeyance between the issue of Margaret and Isabel, the great aunts, and eventually coheirs of John, the fourth and last duke,^a which abeyance has never been determined, the advancement of Sir John Howard by king Richard III., being confined to the dukedom of Norfolk only. If the creation of

* Chart. 6 Edw. II., n. 30.

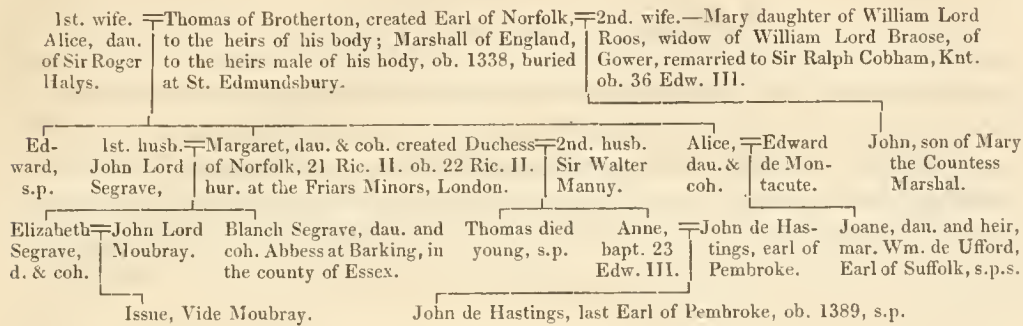
† Ibid. 9 Edw. II., n. 32.

‡ Chart. 21 Ric. II.

§ Vide Moubray.

^a Sir Harris Nicolas, in his Synopsis, (v. ii., p. 471,) says that the earldom became extinct on the death of Thomas of Brotherton, s. p. m.; but this is contradicted by the claim of John, the duke, in parliament, temp. Hen. VI., for precedence as earl of Norfolk, by descent over the earl of Warwick.

Thomas Howard, earl of Arundel, in 1644, to be earl of Norfolk, with limitation to the heirs male of his body, is not to be considered a determination of the abeyance of the old earldom of Norfolk; thus the Howard moiety of the earldom is now in abeyance between his coheirs general, the lords Stourton and Petre.



NORRIS.—(14 ELIZABETH.)

SIR EDWARD NORRIS, son of Sir William by Jane his second wife, daughter of John de Vere, earl of Oxford, married Frideswide, sister and coheir of Francis viscount Lovel,* and was grandfather of

* Vide Lovel, & Beaumont.

Sir Henry Norris, who had summons to parliament from the 14 to the 39 queen Elizabeth, as *Henrico Norris de Rycote Ch'Pr*. He married Margery, daughter and coheir of John lord Williams of Thame,† and had issue William, who died before him, leaving by Elizabeth his wife, daughter of Sir Richard Morrison, a son

† Vide Williams.

Francis Norris, successor to his grandfather, and summoned to parliament as lord Norris, from the 43 Elizabeth, to the 12 James I.; after when, in the 18 James I. he was created viscount Thame, and earl of Berkshire. Being a man of an haughty and violent temper, he was caused thereby to terminate his life, in a desperate suicide, at his house at Rycote, in the county of Oxford, in 1620.^a By Bridget his wife, daughter of Edward de Vere, earl of Oxford, he had a sole daughter and heir Elizabeth, who married Edward, a younger son of Sir Edward Wray, of Glentworth, in the county of Lincoln, and by him had issue an only daughter and heir Bridget, who married, first, Edward, second son of Edward Sackville, earl of Dorset, but had not any issue by him. She married secondly, Montague Bertie, earl of Lindsey, to whom she was second wife, and had issue

^a Vide Banks's *Dormant and Extinct Baronage*, vol. ii. pp. 396-7-8, for interesting anecdotes of the Norris family.

James Bertie, her eldest son, who, in her right, was summoned to parliament as baron Norris of Rycote, the 31 and 32 Charles II., and was afterwards created earl of Abingdon, in which title the barony of Norris now remains vested.

NORTH.—(1 QUEEN MARY.)

IN the time of king Hen. VIII. Edward North became greatly in favour with that capricious monarch, and was so fortunate as to enjoy it to the last moments of the king, who constituted him one of his executors, and appointed him to be of council to his son, and successor Edw. VI.; after whose death on the accession of queen Mary, he was summoned to parliament as a baron of the realm by writ, as *Edward North de Kirtling, Chiv'*, and took his place, and his writ was entered the *7th of April, 1 Marie.** He died the 7 Elizabeth, and was succeeded by

* Journ. Dom.
Proc.

Roger North, his eldest son, second baron, who died the 22nd of December the 40 queen Elizabeth,† and was succeeded by his grandson Dudley North, who was son of his eldest son John, who died before him, which

† Dug. Bar.

Dudley, third lord North, upon the death of his grandfather, had summons from the 3 James I. to the 13 Charles II., and died in 1666, being eighty-five years of age, leaving his son and heir,

Dudley, the fourth baron, who was never summoned to parliament. He had issue six sons, whereof Charles was his successor; and Francis the second son, was attorney-general to king Charles II., and afterwards became lord keeper of the great seal, and was created a peer, by the title of baron of Guilford, in the county of Surrey, the 27th of September, 1683.

Charles, the fifth lord North, married Catherine, daughter of William lord Grey, of Werke, and in his father's lifetime was by a special writ of summons, called to parliament the 17th of October, the 31 Charles II., as "*Carolo North, Grey de Rolleston,*" and being introduced, took his seat in the house of lords then accordingly.‡ He died in 1691, leaving

‡ Journ. Dom.
Proc.

William his son and heir, sixth baron North, and second lord North and Grey, who dying in 1734, s.p., the barony of North and Grey, became extinct; and the barony of North devolved upon his cousin Francis lord Guilford, (grandson of Francis lord Guilford, before mentioned, the next brother of Charles lord North and Grey, his father). This

Francis, seventh lord North, and third lord Guilford, was advanced to the title of earl of Guilford, in 1752, and dying in 1790, was succeeded by his son,

Frederick lord North, who for so many years was the unpopular minister of his

majesty George III., during the American war. He enjoyed the earldom but a short time, dying in 1792, and leaving three sons, George Augustus, Francis, and Frederick. Of these

George Augustus succeeded his father as third earl of Guilford, and ninth baron North. He died in 1802, without issue male, leaving by Maria Frances Mary, his first wife, daughter of George earl of Buckinghamshire, an only daughter Maria, who married John marquis of Bute; and by Susan, his second wife, daughter of Thomas Coutts, esq., the banker, two daughters, viz., Susan, (or Susanna) who married ——— Doyle, esq.; and Georgiana, who died unmarried in 1835: thus the barony of North fell into abeyance between these coheiresses; and the barony and earldom of Guilford devolved on Francis, next brother of the said George Augustus, and heir male thereto, under the limitation of their creations, as may be more fully seen in the various printed peerages of the day.

NORTHWODE.—(22 Edw. I.)

JOHN DE NORTHWODE, son of Roger,^a sheriff of Kent, temp. Edw. I., and who died about the 13th of that reign, had summons to parliament the 22 Edw. I.,^{*b} and afterwards from the 6 to the 12 Edw. II., shortly after which he died. His wife was Joane de Badlesmere, by whom he had issue a son John, who died in his lifetime, having married Agnes de Grandison, and had issue Roger, successor to his grandfather,^c which

* Dugd. Lists of Summ.

Roger de Northwode was summoned to parliament the 34 Edw. III., but no more, as he died the following year, leaving by Julian de Say his wife,

Sir John de Northwode his son and heir, who had summons from the 37 to the 49 Edw. III., inclusive, and died the 2 Richard II., having had issue by Joane, daughter of Robert Hert, of Faversham in Kent, Roger his son and heir, who never had summons to parliament; and with whom, for that reason, Dugdale closes all further account of the family

^a The name is said by Hasted, in his history of Kent, to have been assumed from a manor so called in that county, of which, in early times, Jordan de Shepey was possessed, whose son Stephen having made his residence there was from thence cognominated. Jordan is buried in the Minster church, where also Roger de Northwode, his grandson (son of Stephen) lies interred with the figures of himself and Bona, his wife, sister and heir of John de Wantham, of Shorne, in brass with their arms on the gravestone.

^b Though no place for meeting was named in the writ, yet from the Rolls of Parliament, *v. i.*, *p.* 127, it appears that a parliament was holden at Westminster in the said 22 Edw. I., anno 1294, at which a great plea was entertained between William de Vescy and John Fitz Thomas.

^c From the Coronation Roll of Edw. II., it appears that John de Northwode and his consort; and John de Northwode, Junr. and his consort were both summoned by the sheriff of Kent to attend that solemnity.—(*Vide Roll in vol. ii.*)

* P. 152.

Philpot in his History of Kent,* says that Sir John Northwode, who married Agnes Grandison, had a constant line of male succession to Sir Roger Northwode, whose heir female, Albina Northwode, married John Diggs, of Diggs Court, in Barham, sheriff of Kent, 2 Hen. IV.

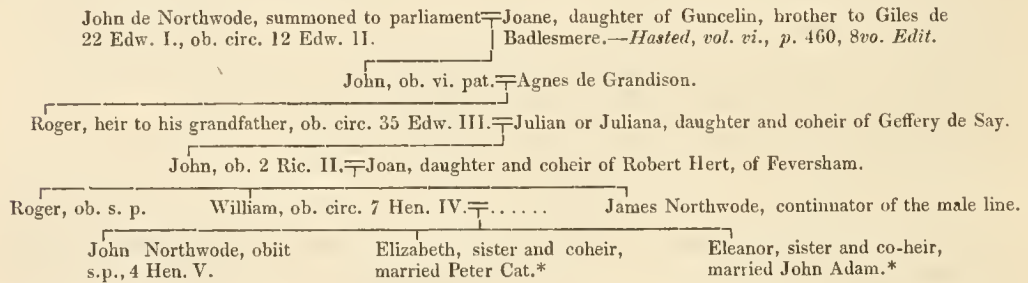
† Hist. of Kent
v. 5., p. 448;
edit. 8vo. 1798.

Hasted asserts† that John Northwode, esq., who died 4 Hen. V. s.p., had two sisters who were his coheirs; one of which married John Barley, of Hertfordshire, and the other Sir John Norton, of Kent.

‡ Vol. ii., p.

Sir Harris Nicolas in his Peerage Synopsis‡ states that John Northwode who died the 4 Hen. V. s.p., (being then just of age) left Elizabeth, wife of Peter Cat, and Eleanor, the wife of John Adam, his sisters and coheirs: that of the issue of the said Elizabeth nothing is known; but Eleanor left a son and heir Thomas Adam, whose posterity in the male line have been traced for five descents, when Richard Adam, the representative of the family was living, and who, though twice married had no issue. Roger his brother then had six children, viz: Richard; John; and William; Bridget, wife of Adam Shepherd; Margery, wife of William Hawe; and Anne; and in the representatives of the said Roger Adam, this barony is *probably* vested. Assuming this statement of Sir Harris Nicolas to be *perfectly correct*; then the said representatives have also an interest in a moiety of the barony of Grandison.§

§ Vide Grandi-
son.



* The contradiction between Hasted and Sir Harris Nicolas as to their respective marriages, may be from their having each been twice married.

NORWICH.—(8 Edw. II.)

WALTER DE NORWICH, one of the barons of the Exchequer, had summons to that parliament of the 8 Edw. II., when the judges and others of the king's council were intermixed with the earls and barons in the same writ;|| from which it is to be inferred, that he was not by that writ created a baron of the realm, especially as thereafter his name

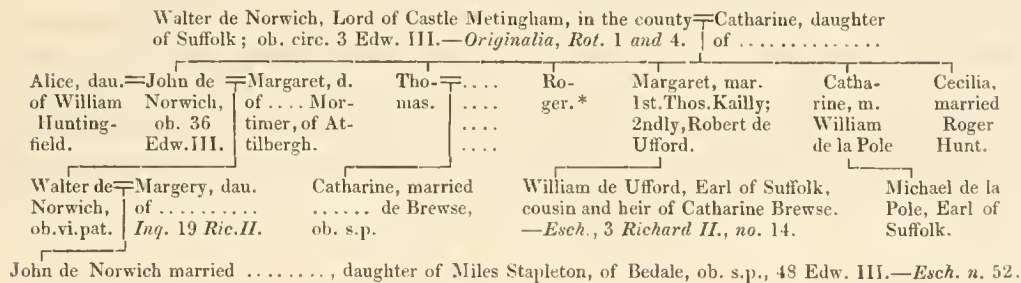
|| Dug. Lists
of Sum.

was always included among those of the justices and others of the king's council. He died circ. 3 Edw. III.* and was succeeded by his son,

* Orig. 3 Edw. III., Rot. 1.

Sir John de Norwich, who had summons with the earls and barons to a great council at Westminster the 16 Edw. III., and again similarly to a parliament at Westminster the 34 Edw. III., but never to any subsequent parliament. Walter his son having died in his lifetime, left issue a son

John de Norwich heir to his grandfather, who, the 36 Edw. III. making proof of his age, had livery of his lands, and afterwards was made a knight; but he died the 48 Edw. III., s. p., leaving Catherine de Brewse, daughter of Thomas, brother to John his grandfather, his cousin and next heir, who before she died became a nun at Dartford in Kent, and deceased s.p.



* This Roger, circ. 1374 conveyed the Lordship of Kimberley, in the county of Norfolk, to his niece Catharine de Brewse, who, 49 Edw. III. confirmed the grants of her ancestors to Raveingham College.

By a fine levied between John de Norwich, querent, and others, deforciant, certain manors in Norfolk were settled, after the death of Catharine, widow of Walter de Norwich, on Sir John and his heirs male; remainder to Thomas, his brother, and his heirs male; remainder to Roger, brother of Thomas, and his heirs male.—(*History of Norfolk*, vol. vii., p. 88. *Ibid.* vol. ii., p. 75.)

OGLE.—(1 Edw. IV.)

ROBERT DE OGLE, of a family of great antiquity in the county of Northumberland, married Helene, daughter and heir of Sir Robert Bertram,† baron of Bothal, in the county of Northumberland, (by Constance his wife, one of the daughters and coheirs of William de Felton), and had issue a son Robert, from whom descended

† Vide vol. ii.

Robert de Ogle, who, the 1 Edw. IV., had summons to parliament by writ‡ addressed *Roberto Ogle Domino Ogle*, and from thence to the 9th of the same reign, about which time he deceased, leaving

‡ Dug. Lists of Sum.

Owen his son and heir, who had summons from the 22 Edw. IV. to the 1 Hen. VII., and was succeeded by his son and heir,

Ralph, summoned the 1 and 3 Hen. VIII., who died the year following, as appears by the inquisition taken after his decease at Morpeth, 16 March, 4 Hen. VIII. His son and heir,

Robert, fourth lord Ogle, had summons from the 8 to the 21 Hen. VIII., and was slain in a battle with the Scots the 31 Hen. VIII., leaving

Robert, fifth lord Ogle, his son and heir, who does not appear to have been ever summoned, and was also slain in an engagement with the Scots circ. 36 Hen. VIII. He was twice married. By his first wife he had Robert, his successor, and by his second, Cuthbert, hereafter mentioned.

Robert, sixth lord Ogle, was summoned from the 2 to the 5 and 6 queen Mary; but dying s.p., he was succeeded by his half brother,

Cuthbert, seventh and last lord Ogle in the male line, whose name is mentioned in Dugdale's Lists of Summons, from the 5th to the 43 queen Elizabeth, being four years longer than he lived; yet Dugdale in his Baronage affirms that he died the 39 queen Elizabeth, and Collins confirms the same, and that he was buried at Bothal, 16 March, the same year. Not having any male issue his two daughters became his coheirs; of which, Joane married Edward, a younger son of George Talbot, earl of Shrewsbury, and died s.p.; and Catherine married Sir Charles Cavendish.

CAVENDISH, BARONESS OGLE.

CATHERINE OGLE having by the death of her sister Joane, wife of Edward Talbot, s.p., become sole heiress of her father, Cuthbert, the last lord Ogle, was, by letters patent, dated 4 December, 1628, declared baroness Ogle, with a ratification of the said barony to her and her heirs for ever. She died the following year, leaving by Sir Charles Cavendish her husband (who predeceased her in 1617), two sons, William and Charles; whereof the eldest,

William Cavendish, was in the lifetime of his mother created baron Ogle of Bothal, and viscount Mansfield,* by which title he had summons to parliament† the 19 James I. (1621); after which, the 3 Charles I., he was created baron Cavendish of Bolsover, and earl of Newcastle-upon-Tyne.‡ In 1629, upon the death of his mother, Catherine baroness Ogle, he succeeded to that barony, created as before mentioned, by writ of summons the 1 Edw. IV. In 1643 he was advanced to the dignity of marquess of Newcastle, by which title he was the distinguished commander of the royal army during a part of the civil war. After the restoration he was by king Charles II. created earl of Ogle and duke of Newcastle: his services and his losses during the time of the

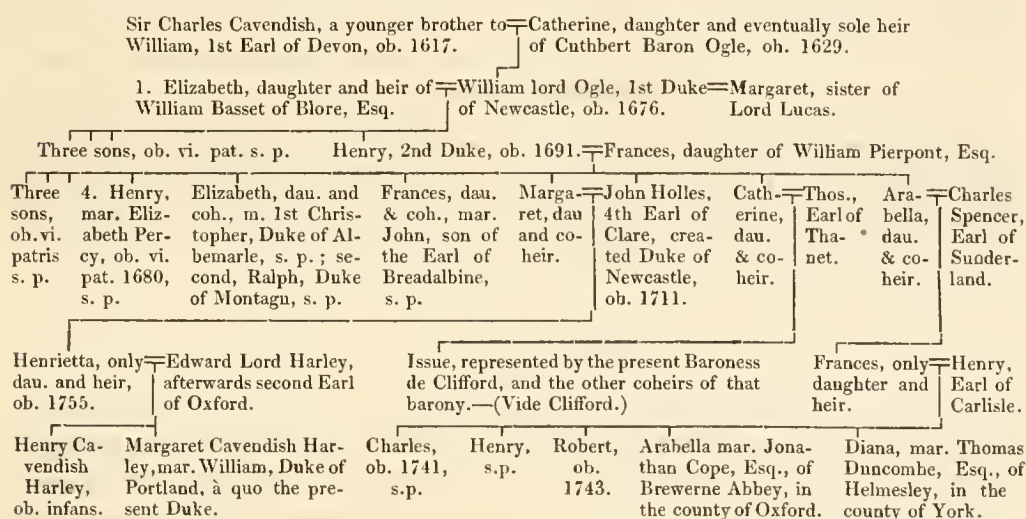
* Pat. 18 Jac, I.

† Dug. Lists of Sum.

‡ Dug. Baron.

rebellion (so called by historians) well entitling him to such honours and reward.^a He died in 1676 at the advanced age of eighty-four, and was interred in Westminster Abbey, where a costly monument remains erected to his memory.

Henry Cavendish, duke of Newcastle, his only surviving son, had issue several sons, of which three died young, and Henry, the only surviving one, married Elizabeth, daughter and heir of Joceline, the last Percy, earl of Northumberland, but died s.p. vitâ patris, so that upon the death of the duke in 1691, without surviving male issue, all his titles limited to issue male became extinct, excepting the barony of Ogle created by the writ of the 1 Edw. IV., which fell into abeyance between his five daughters and coheirresses, and still continues so among their heirs representative.



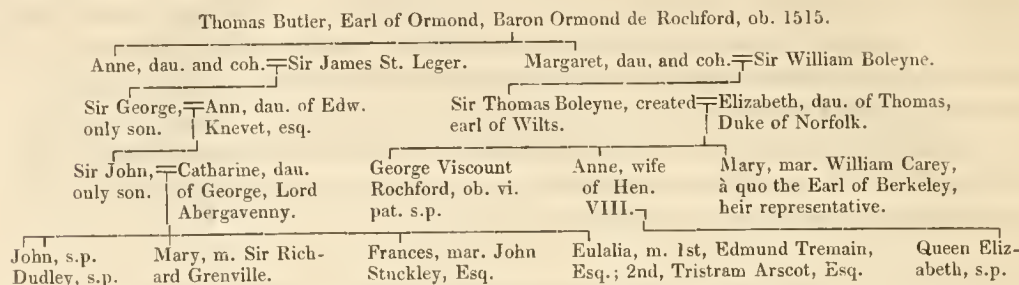
ORMOND DE ROCHFORD.—(11 HEN. VII.)

THOMAS BUTLER, seventh earl of Ormond, in Ireland, had summons to parliament as a baron, in the peerage of England, from the 11 Hen. VII. to the 6 Hen. VIII., by writ addressed "*Thomæ Ormond de Rochford Chev'*"; and died in 1515, leaving two daughters his coheirs, viz: Anne, who married Sir James (or John) St. Leger; and Margaret, who married Sir William Boleyn, knight, by whom she had Sir Thomas Boleyn, in whose favour the abeyance of the barony of Ormond de Rochford appears to have been

^a The damages and losses sustained by the duke during the civil war were computed by the duchess of Newcastle to have surpassed, rather than have fallen short of the great sum of £733,579. 0s.

determined, as upon the decease of the earl of Ormond, he was summoned to parliament the 7 Hen. VIII., by writ addressed, viz: "*Thomæ Bullen de Ormond Chiv'**"; and the 21 Hen. VIII as "*Thomæ Vicecomiti Rochford.†*"

* Dugd. Lists of Summ.
† Vide Boleyne



ORREBY.—(2 EDW. II.)

JOHN DE ORREBY, of an ancient family in the county of Lincoln, had summons to parliament the 2, 3, and 4 Edw. II., and died the 11th of the same reign, leaving Edmund Somerville, Alured de Sulney, and John, the son of Robert Willoughby, his next heirs, between whom his lands were divided, the barony becoming extinct.

PAGET.—(5 EDW. VI.)

WILLIAM PAGET, a man of mean parentage, as Sir William Dugdale states, and son of one Paget, a sergeant at mace, in the city of London,^a rose from that very low origin to great importance, in the reign of Hen. VIII.; his pliancy and natural excellent talents, according with the principles of that capricious monarch, recommending him to high preferments, whereby he became enriched. Such was the favour he experienced from the king, and the confidence plac'd in him, that he was appointed in the king's will to be one of his executors.

After the accession of Edw. VI. he was advanced to the peerage, by writ of summons addressed, "*Willielmo Paget (de Beaudesert) Chiv'r,*" the 5 Edw. VI. In the next year his writ was addressed "*Willielmo Paget (Domino de Beaudesert) Chiv'r,*"[†] by which denomination he continued to be summoned to his death, the 5 Queen Elizabeth.^b He was succeeded by his eldest son,

† Dugd. Lists of Summ.

Henry, second lord Paget, who was summoned to parliament the 8 Queen Elizabeth,

^a A sergeant at mace at the present day is a bailiff to the sheriff of London, an office not very popular, or their persons much respected.

^b His name does not appear in any of the summonses of Queen Elizabeth printed in Dugdale's Lists.

as "*Henry Paget Ch'l'r*," without the additament of "*Domino Paget de Beaudesert*." He died in 1569, without issue male, leaving an only daughter Elizabeth his heir, who married, as Dugdale asserts,* Sir Henry Lee: but Collins and Edmondson state she died the 29 June, 1571, about three years of age; yet, whether Dugdale be in error, and Collins and Edmondson correct, it appears she survived her father, and in such respect was entitled to the barony of Paget, created by the writ of summons of the 5 Edw. VI. Nevertheless, it seems that her uncle,

* Dug. Baron.

Thomas Paget, was summoned to parliament by writ dated the 2nd of April, the 13 Queen Elizabeth, as "*Thomas Paget Ch'l'r*," which was before the time of her asserted death (as before mentioned) the 29 June, 1571.

This circumstance, however, is somewhat explained in Collins's Parliamentary Precedents,† wherein he states, "that William lord Paget, of Beaudesert, by fine, the 1 Queen Mary, being seised in fee of the baronies of Longden and Beaudesert, and of the manors of Beaudesert, Longden, &c., entailed the same to him and the heirs male of his body issuing; whereby, on his decease, Henry his son succeeded to them; and on his decease without issue male, Thomas his brother became entitled thereto." But though Thomas might have a right to the said lands, as heir male, he could not have a right to the barony under the writ of summons, as descendable to heirs general, and at the time of his writ of summons, the 2nd of April, 1571, he did not stand in that character.

Dugdale, in his Baronage, has observed,‡ that William lord Paget, on the 3rd Dec., 4 Edw. VI., was called to parliament by the name of "*Lord Paget of Beaudisert*" and took his place there amongst the rest of the peers; and upon the 19th of January, next ensuing, had his *solemn creation to that honour*; which words seem to purport that he then had a patent with limitation of the course in which the honour was to descend; in conformity to which he made the entail of his lands as before recited; and the distinction between his first summons and his second, wherein he is called *Dominus Paget de Beaudisert*, which *Dominus* is not in the first writ, goes to the belief that his *formal creation* was to issue male.

‡ Tom. 3, p. 390.

This Thomas, third lord Paget, had summons to the 23 Queen Elizabeth; but some time after was attainted, and died at Brussels the 32 Queen Elizabeth.

William, fourth lord Paget, his son and heir, was restored to his father's honours the 1 Jac. I., and had summons from the 3 Jac. I. to the 8 Car. I., and died the year following, 1629, leaving

William his son and heir, fifth baron, who was summoned from the 15 Car. I. to the 13 Car. II., and died in 1678. He had three sons, whereof, Thomas, the youngest, died unmarried; William, the eldest, was his successor; and Henry, the second son, was father of Thomas, a brigadier-general, who left an only daughter and heir Caroline, eventually heiress general to the barony of Paget.

William, sixth lord, died at an advanced age, in February, 1712-13, and was succeeded by his only surviving son,

Henry, seventh lord Paget, who, in the lifetime of his father, was created a peer, by the title of baron Paget, of Burton, in the year 1711; and in 1714, after his father's death, was advanced to the dignity of earl of Uxbridge. He was twice married: by his second wife, Elizabeth, daughter of Sir Walter Bagot, baronet, he had an only son Henry, baptized at Isleworth, 22 January, 1719, who died young; but by Mary, his first wife, daughter and coheir of Thomas Catesby, of Whiston, in the county of Northampton, esq., he had a son Thomas Catesby, lord Paget, who died before him, in February, 1741-2, having had issue two sons, viz: Henry, successor to his grandfather; and George, who died at Colchester, in 1737, aged seventeen. Upon the death of the said earl Henry, in 1743,

Henry, his grandson, became second earl of Uxbridge; but deceasing unmarried, in 1769, the barony of Paget, of Burton, and earldom of Uxbridge became extinct; but the barony of Paget of Beaudesert devolved upon Henry Bayley, eldest son and heir of Sir Nicholas Bayley, by Caroline, his wife, daughter and sole heir of brigadier-general Thomas Paget, youngest son of William, the fifth baron, as before mentioned.

Which Henry Bayley, lord Paget, took the name of Paget, and in 1784 was created earl of Uxbridge; whose son and successor is the present marquess of Anglesey.^a

PATSHULL.—(16 Edw. III.)

SIMON DE PATSHULL^b held the barony of Bletshoe, in the county of Bedford, temp. Edw. I.; and married, as Dugdale states,* Isabel, daughter and heir of John de Steyngreve, who had summons to parliament the 22 Edw. I.; but of whom that author does not take any notice.† To which Simon succeeded

* Baron, vol. i., p. 143.

† Vide vol. ii.

John de Patshull, who the 16 Edw. III. had summons to a great council at Westminster; the meeting of which was afterwards prorogued, and he was never again summoned, though he lived many years after, and died circ. 23 Edw. III.‡

‡ Orig. 24 Edw. III., Rot. 13.

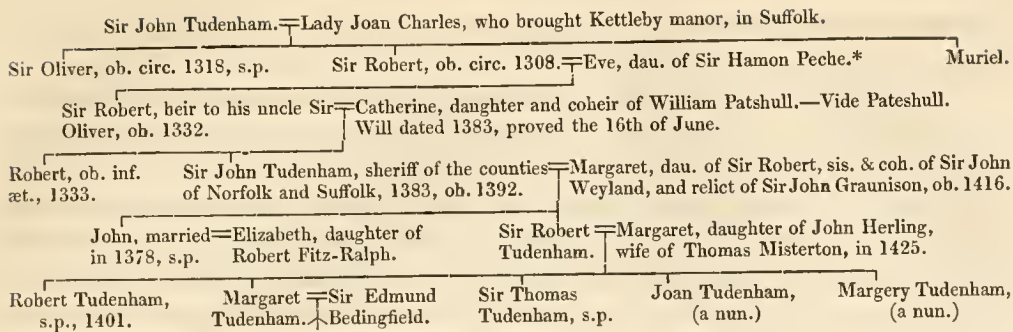
§ Vide Beauchamp.

|| Orig., 34 Edw. III., Rot. 1.

William de Patshull, his son and heir, was never summoned, and died s. p., circ. 34 Edw. III., leaving Sibyll, wife of Roger de Beauchamp§; Alice, the wife of Thomas Wake, of Blisworth; Thomas, the son of Walter de Fauconberge, by Matilda, lately his wife; and Catherine, the wife of Sir Robert de Tudenham, knight, his sisters and next heirs.||

^a Vide memoirs of the Paget family in Banks's *Dormant and Extinct Baronage*, v. ii., pp. 408-9-10-11.

^b In 1232 (17 Hen. III.) a Simon de Patshull, was Justiciar of the whole kingdom. In 1233 Hugh the son of Simon de Pateshull, had the same high office, (*Chronica Juridicalia*).



* Some authorities makes this Eve, daughter of Sir Ralph de Rochester, by Maud, daughter of Sir Hamon Peche. She was aunt and heir of Sir Hugh Peche, and relict of Sir Ralph de Rochester, of Ereswell, in the county of Suffolk.

PECHE.—(28 Edw. I.)

HAMON PECHE, in the time of Hen. II, was sheriff of Cambridgeshire, and married Alice, daughter of Pain and sister and coheir to William Peverel, baron of Brunne, in the county of Cambridge, her brother*; from this Hamon descended

* Lib. Nig. Seacc. p.251-2

Gilbert Peche, who in the 26 Edw. I., had summons *equis et armis* to Newcastle, and in the writ is styled *a baron*,† the earls and barons being therein distinguished by their respective ranks. In the 28 Edw. I. he had summons to parliament, and from thence to the 34 Edw. I., but not again till the 15 Edw. II. In the 29 Edw. I. he was one of those who at the parliament at Lincoln subscribed the famous letter to the pope by the designation of "*Gilbertus Peche Dominus de Corby*;" he died circ. 15 Edw. II., having been twice married, first, to Maud de Hastings, and secondly, to Joane, daughter of Simon de Grey: by his first wife he had two sons, John and Edmund, unto whom he left very little, giving the most of his estate to his children by the second wife; but, nevertheless his sons by his first wife were heirs to the barony, if any can be considered created under the writs of summons to him, as before noticed. Neither of the sons were ever summoned to parliament, and further of them Dugdale does not make mention.

† Vide Writ in vol. ii.

There was a Gilbert Peche, who had summons to the parliament called by the king's writ to meet in London, the 45 Hen. III.,‡ he was probably the father of this Gilbert, and died the 19 Edw. I.§

‡ Ibid.
§ Esch. 20 Edw. I., n. 43.

JOHN PECHE.—(14 Edw. II.)

JOHN DE PECHE was of Wormleighton, in the county of Warwick, but how, or whether of the same family as Gilbert is not certain. He had summons to parliament from the

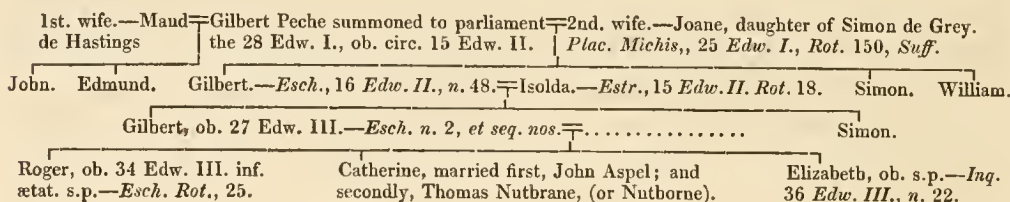
14 Edw. II. to the 9 Edw. III., and died circ. 11 or 12 of the same reign an aged man, leaving

* Esch. 50
Edw. III., n.
51.

John Peche, his grandson and heir, viz., son of John, his eldest son who died before him; but neither this John, nor any of his descendants had ever summons to parliament. He died circ. 50 Edw. III,* leaving another John his son and heir, who was never summoned, and died circ. 9 Ric. II., leaving two daughters his coheirs, viz.: Joane, who died s.p., and Margaret, who married Sir William Montfort, of Coleshill, in the county of Warwick, knight, in whose heirs representative this barony, if it can be deemed one, is vested.

ROBERT PECHE.—(14 EDW. II.)

For this Robert, unnoticed in Dugdale's Baronage, the reader is referred to the second volume of this work.



PERCY.—(27 EDW. I.)

THE antiquity and illustrious descent of this noble family is unquestionable, and not merged in that obscurity and uncertainty which attaches to the origin of the so much boasted House of Howard. Mr. Collins, in his account of it, seems to have investigated the subject with great labour, and though he differs much from Dugdale, he does not appear to be the less correct.

It may be sufficient here to observe that the founder of the present dynasty was Josceline de Lovaine, a younger son of Godfrey, duke of Brabant, and brother of the half blood† to queen Adeliza, consort of Henry I. This

† Betham's
Royal Geneal.

Josceline de Lovaine upon his marriage with Agnes de Percy, daughter and eventually sole heiress of William de Percy, the last baron of the Norman race, conditioned to take the name of Percy but to retain the arms of Brabant. His issue by her thus became pre-eminent among the most potent of the barons of the realm, as well in honours, as in extent of possessions.

Henry Percy, great great grandson of Josceline de Lovaine, had summons to parliament the 27 Edw. I., and from thence to the 8 Edw. II., the year after which he died. In the 26 Edw. I. he was summoned to Carlisle *equis et armis*; and the earls and barons in that writ being styled by their respective ranks, he is therein named as a baron. In the 29 Edw. I. he was one of those great men who subscribed the famous letter to the pope in the parliament at Lincoln, on which occasion he is written, "*Henricus de Percy Dominus de Topcliffe*," and in the 1 Edw. II. he had summons to that king's coronation.*

* Coron.
Rot., 1. Edw.
II.

Henry, the fourth lord Percy, his great grandson, was created earl of Northumberland the 16 July, 1 Richard II., *sibi et hæredibus suis*; but after the accession of Hen. IV., taking arms against that king, along with Henry lord Percy his eldest son, surnamed Hotspur, the latter was slain in his lifetime at the battle of Shrewsbury, and the earl himself sometime after at Bramham Moor, when being attainted, all his honours became forfeited.

Henry Percy, grandson and heir of the earl (i. e. son of Henry Hotspur), in the 3 Hen. VI. obtained a charter for the earldom,† *sibi et hæredibus suis*, and was restored in parliament to all the honours of his family. He was slain in the battle of St. Albans in 1455, and was succeeded by his son Henry, which

† Rot. Cart.,
3 Hen. VI.,
n. 6.

Henry, third earl of Northumberland, having married Eleanor, granddaughter and sole heiress of Robert lord Poynings,‡ was in his father's lifetime summoned to parliament, as "*Henrico de Percy Ch'r Domino de Poynings*," from the 25 to the 33 Hen. VI., when by the death of his father he became earl. He was slain in the battle at Towton, anno 1461; and being attainted, his honours were once more forfeited.

‡ Vide Poy-
nings.

Henry Percy, his son and heir, was afterwards restored in blood, though it does not appear that any reversal of his father's attainder took place till some time after, circ. 12 or 13 Edw. IV.;§ but in the 12 Edw. IV., his name is in the writ of summons to parliament.||

§ Rot. Parl.
v. 6, p. 16.
|| Dugd. Lists
of Summ.

Henry Algernon Percy, his son and heir, the fifth earl, had three sons, viz: Henry, his successor; Sir Thomas Percy, who being concerned in Aske's conspiracy, was executed and attainted the 29 Hen. VIII., leaving two sons, Thomas and Henry, successively earls of Northumberland; Sir Ingelram, the third son, is said to have died s.p. This Henry, the fifth earl, had the happiness to die in his bed, which none of the preceding earls had ever done. He was succeeded by

Henry Algernon, his eldest son, the sixth earl, who dying in 1537 s.p., his brother Sir Thomas, had he been living and not attainted, would have succeeded to his honours, but they by his attainder were suspended in the crown: nevertheless,

Thomas Percy, eldest son of the said Sir Thomas, was by an express creation on the 30th of April, the 3 and 4 Philip and Mary, made a baron by the title of baron Percy, of Cockermouth, and Petworth, baron Poynings, Lucy, Bryan, and Fitz Payne, with

limitation to the heirs male of his body ; and in default thereof to Henry his brother, and his issue male ; and the day after, viz : 1 May, he was created earl of Northumberland with the same remainder. He was however in 1571 attainted, and afterwards beheaded in 1572, and as it would seem without any form of trial.^a

Thus the name of the Percy honours would once more have been lost, had it not been for the remainder before mentioned, which vested them on his death without issue male in his brother Henry Percy. But he had issue female who were his coheirs at common law ; and who, although deprived by the several attainders and subsequent regrants limited to the male line, from inheriting the ancient earldom and baronies of Percy and Poynings, are nevertheless the first representatives in blood and priority of descent of the noble and illustrious house of Percy.

The daughters of earl Thomas are stated by Dugdale (followed by Collins) to have been five, viz : Elizabeth, who married Richard Woodroffe of Wolley, in the county of York, esq. ; Mary, who married Sir Thomas Grey, of Werk, knight ; Lucy, wedded to Sir Edward Stanley, K.B. ; Jane, wife of Sir Henry Seymour, second son of Edward I., duke of Somerset, by his second wife ; and Mary, prioress of the nunnery at Brussels. But other authorities* mention only four ; yet all married, as stated by Dugdale, omitting the name of Mary the prioress. Vincent however in his coarse and virulent corrections (as he terms them) of Brooke's errors, asserts that *Mary the fourth daughter was never married to Grey, but was lady prioress of the English nunnery now at Brussels, anno 1621.*

* Ralph Brooke, Milles, & Yorke's Union of Honour.

Sir Cuthbert Sharp in his Memorials of the Northern Rebellion in 1569, cites a letter from Sir Henry Cobham to Cecil, dated from Antwerp, 4 Sept., 1570, saying that the countess of Northumberland, with the lord Seton, arrived at Bruges on the 31st of August. On her arrival in Flanders she suffered great privations ; and lord Seton states in a letter to the queen of Scots, (19 September, 1570), that the countess of Northumberland and the earl of Westmorland "*Have neither penny nor half penny.*" She is represented to have died at Namur, 17 October, 1576. The children of the earl and countess were of tender age at the time of the rebellion.

Mary the youngest daughter, on the authority of a MS. belonging to the English Benedictine Dames, formerly at Brussels, (now at Winchester), printed in the Catholic Magazine for August 1838, was born on the 11th of June, 1570. After the death of the countess she came into the low countries to take possession of what was left her by her mother, but more by her desire to dedicate herself to the service of Almighty God in

^a He was buried at St. Crux church at York, in which city, at the church of St. Dionyse, there is a window with stained glass, whereon is represented the portraits of George Percy lord Egremont, his wife and children ; thereby showing that Thomas Percy lord Egremont did not die without wife or issue, as stated by Dugdale.

holy religion ; having formerly vowed virginity, and also to be religious ; and became the founder of the Benedictine Dames at Bruxelles.

A MS. now in the possession of the editor, relates that she founded the nunnery in 1599, and died prioress in 1642, as appears* from the Church History of England. About the same time there were in Belgium two priests, named William and John Percy, who came out of Yorkshire. In 1837 there was a Mr. Percy, who then resided in Paris, by whom the said MS. was transmitted to the editor of this work.

* 3 vols. fol.
Bruss. 1737.

In the Harleian Collection, at the British Museum, is a MS. entitled Percy (Mary) Benedictine Nun's Case.

Sir Harris Nicolas has well observed† that the creation of the baronies of Percy of Cockermouth, Poynings, &c., to earl Thomas, must be considered as a creation *de Novo*, and would have been forfeited otherwise than for the limitation to his brother Henry, who could only take them in virtue thereof ; but the ancient earldom, and baronies still remained suspended in the crown.

† Synopsis,
vol. ii. p. 511.

Henry Percy, second earl of Northumberland, baron Percy of Cockermouth, &c., of the new creation, married Katharine, one of the daughters and coheirs of John Nevill, lord Latimer, and thus brought into this second line of Percy a right to a moiety of that barony. He died in 1585 ; and was succeeded by

Henry Percy, his son and heir, third earl, who obtained a confirmation by patent, 4 Charles I., to him and the heirs male of his body, of the title of *baron Percy, in such manner as any of his ancestors had enjoyed the same* : but which patent, Sir Harris Nicolas remarks‡ would decidedly be deemed illegal at the present day, an act of parliament alone having the power to give a precedency beyond the date of the patent of creation.^a He died in 1632, leaving

‡ Ibid.

Algernon Percy, his son and heir, the fourth earl : who by writ in his father's lifetime, was summoned to parliament as "*Algernon Percy Ch'r*," the 3 & 4 Chas. I. ;§ and is thus entered in the Lord's Journals, viz : "*Algernon lord Percy introduced (called by writ) 28 March, 1626.*" But this summons may be questioned as to being the creation of a barony in fee ; inasmuch as his father was baron Percy, by patent, with limitation to issue male, and being so called by summons, was not an enlargement of the barony.^b

§ Dugd. Lists
of Summ.

Josceline Percy, on the death of his father Algernon, in 1668, succeeded to all his honours, and was the fifth and last earl of his family : for, dying in 1670, s. p. m., the earldom with all the titles, granted by the patent of Queen Mary, became extinct ;^c but

^a Vide Journals of the House of Lords on the Precedency given by Charles I. to the earl of Banbury.

^b Vide Sydney case, coram. Dom. Proc., resolved 17 June, 1782.

^c This is very doubtful, notwithstanding Mr. James Percy, the Trunk-maker, and Mr. Percy the Stone-cutter, were overborne by the hand of power.—Vide *Banks's Stemmata Anglicana.*)

nevertheless the barony of Percy, assumed to have been created by the writ of summons of the 3 Charles I., by reason of earl Josceline leaving an only daughter and heiress Elizabeth, has been supposed to have descended to her.

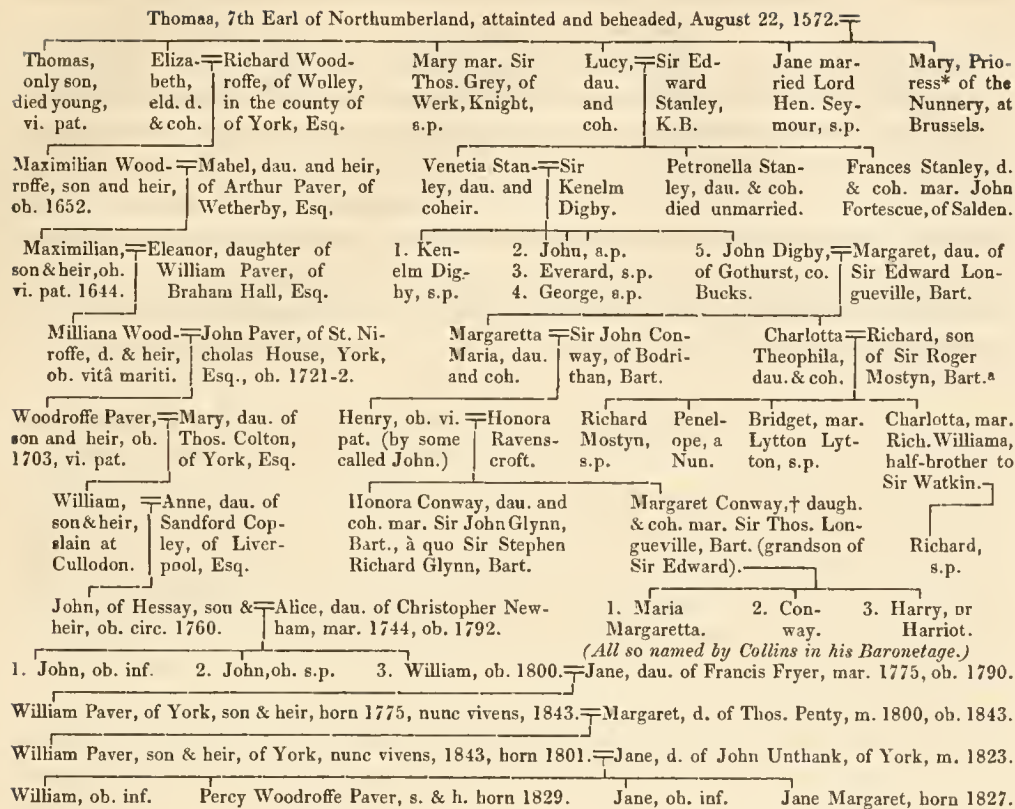
This lady Elizabeth Percy married Charles Seymour, duke of Somerset, by whom she had issue Algernon Seymour, who, on the death of his mother, in 1722, was summoned to parliament, as appears from the following entry, in the lord's journals, viz : "*Lord Algernon Percy sat first in parliament 21 January, 1722.*" He afterwards succeeded his father as duke of Somerset ; and in December, 1748, was created baron Warkworth, of Warkworth, in the county of Northumberland, and earl of Northumberland, in October, 1749 ; with remainder failing his issue male to his son-in-law, Sir Hugh Smithson, baronet, and to the heirs male of his body, by Elizabeth his wife, daughter of him the said duke of Somerset ; as such, upon his decease in 1750, s. p. m., the barony of Warkworth, and earldom of Northumberland, devolved upon Sir Hugh Smithson, afore-said, who, in October, 1766, was created earl Percy, and duke of Northumberland, whose representative is the present duke.

The only barony of Percy, as a barony by writ, thus appears to be derived from the summons of Algernon lord Percy, the 21 January, 1722. But the duke nevertheless is a coheir in the baronies of Berkeley, Warine de Lisle, Latimer, Scales, Playz, and Badlesmere ; also in the barony of Ufford and earldom of Suffolk.

The fortune of families in their rise and fall affords sometimes singular instances of the ordinations of Providence.

It is here shown that the Smithson's of no peculiar distinction in the annals of Genealogy, have acquired the splendid estates of the once illustrious house of Percy, and with a superior degree of rank ; while the heirs representative of its elder branch have not a particle left to them of their ancestors' patrimony ; and alone possess the honor of priority of blood over the present bearer of their ancient dignities. But are the virtues of the Smithson's only Percys by adoption of name, engendered in them by the act of parliament ? Certainly not. The high title of duke makes him not superior in the eye of the Almighty, though it may in the eye of sovereigns, to the humble, and depressed first coheir of the unhappy earl Thomas, who, without the form of trial, (as before mentioned) was executed at York, in 1572.^a The following table of descent will show this person to be as much respected for his exemplary conduct, and exertions in private life, as the pompous occupier of Northumberland House, and Alnwick Castle.

^a Vide the case of the earl of Arundel in parliament temp. Edw. III., respecting the illegal execution of his father without trial by his peers, according to the law of Magna Charta. The Editor having in his possession some interesting MSS. relative to the Percy family will, most probably, very shortly publish these curious memoirs.



* Milles in his Catalogue of Nobility does not mention this Mary, who is the same as is erroneously said to have married Sir Thomas Grey, and after his death retired to Brussels, where she became the Prioress.—(MS. penes Auctore.)

† In 1824, Mr. Longueville Jones was lineal descendant, and representative of this lady.—(MS. Ped. penes Auctore.)

Mr. Paver, it is to be observed, is the eldest coheir of the Baronies of Percy and Poynings, and holds one entire moiety of the same, whereas the moiety of lady Lucy, wife of Sir Edward Stanley, is divided and subdivided among several representatives of her.

Mr. Maximilian Woodroffe, son of Richard and Lady Elizabeth Percy, went to Virginia, where his cousin George Percy, brother to Henry, ninth Earl of Northumberland, had gone, and in a MS. entitled, *Indigested Chronology*, among the Stirling Papers in the Historical Library at New York, is said to have planted Virginia, and to have discovered *Pouchatan*, now called *James River*.

In Campbell's History of Virginia, (1813) p. 49, it is stated that Mr. George Percy was left in direction of the colony of Virginia on the departure of Lord De la Warre.

In 1827, when the Editor was in the United States, he met two brothers of the name of Percy, who held lands in Virginia, and claimed descent from the said Mr. George Percy; in which respect they would be the right male heirs of the earldom of Northumberland, of the de novo creation, the ancient one being suspended in the crown.

At *Nannerch Church, county of Flint*.—Here lieth the body of Charlotta Theophila, wife of Richard Mostyn, of Penbedw, daughter and coheir of John Digby, of Gothurst, by Margaret, daughter of Sir Edward Longueville, son and heir of Sir Kenelm Digby, by Venetia, daughter of Sir Edward Stanley (son of Thomas second son of Edward, Earl of Derby,) by Lucy his wife, daughter and coheir of Thomas, Earl of Northumberland. She died 17 March, 1693-4.

^a Catherine, youngest daughter of Richard Mostyn and Charlotta his wife, died 22 December, 1693.

PINKNEY.—(25 EDW. I.)

* Vide Banks's
Dorm. & Ext.
Baron., vol. i.

HENRY DE PINKNEY* had summons to parliament the 25 Edw. I.; and in the next year had summons to Carlisle *equis et armis*, being then styled a baron, the earls and barons having their names inserted in the writ according to their respective ranks. He was also summoned to parliament the 27 and 28 Edw. I.; and was one of the barons in the parliament at Lincoln, the 29 Edw. I., who subscribed their seals to the letter addressed to the pope,^a when he was designated "*Henricus de Pynkeney Dominus de Wedone.*" Dying without issue, his barony became extinct; and the greatest part of his lands he left to the king, and his heirs for ever.

PIPARD.—(25 EDW. I.)

RALPH PIPARD had summons to parliament from the 25 to the 30 Edw. I. In the 26 he had summons to Carlisle *equis et armis*, and in the writ was styled a baron; the earls and barons then summoned being distinguished by their respective ranks. In the 29 Edw. I. he was one of the barons who in the parliament at Lincoln subscribed the letter to the pope, being then designated "*Radulphus Pypard Dominus de Lanford.*" He died circ. 1309, leaving

John Pipard his son and heir, aged thirty, but neither he nor any of his descendants had ever the like summons, and with him Dugdale closes his account of the family.

† P. 118.

Atkyns in his History of the County of Gloucester,† states that he held Aston-Cold in that county; and in the 4 Edw. II. levied a fine thereof. From the Pipards, the said manor passed to Edmund le Boteler, who married the heiress, and held the same with free warren the 9 Edw. II.

PIPE.—(1 EDW. III.)

OF this name it is only mentioned by Dugdale that Thomas de Pipe had summons to parliament among the barons the 1 Edw. III., but no more, nor any of his posterity; but on referring to the writ it appears not to have been a summons to parliament, but only a summons *equis et armis* to Newcastle-upon-Tyne.

In Tong church, in the county of Stafford, is the following inscription, viz :

^a Sir Harris Nicolas says he was present in the parliament at Lincoln; but Dugdale in his Lists of Summons states he affixed his seal, though he was not summoned to that parliament.

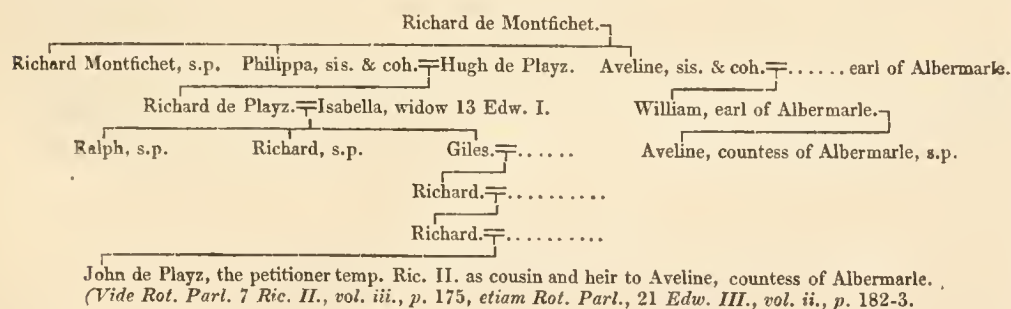
“Hic jacent Dñs Willielmus Vernon Miles, quondam Constabularius Angliæ filius et hæres Dñi Ricardi Vernon Militis, qui quondam erat Thesaurarius Calesiæ qui quidam Dñs Willielmus obiit ultimo die mensis Junii anno Dñi 1477, et Margareta uxor dicti Willm filia et hæreditař Dñi Roberti Pypis et Spernoris Militis, quæ quidem Margareta obiit anno Dñi millesimo.”

PLAYZ.—(22 EDW. I.)

EGIDIUS, OR GILES DE PLAYS, descended from Hugh de Plays, who married Philippa, one of the sisters and coheirs of Richard de Montfichet, a great baron in Essex,* had summons to parliament the 22 and 25 Edw. I., but no more. He died 31 Edw. I., leaving

Richard de Playz his son and heir, who had summons from the 11 to the 15 Edw. II., inclusive, to whom succeeded

Richard de Playz his son and heir, who never had summons, nor John his son and heir, who deceased leaving an only daughter Margaret, who was the first wife of Sir John Howard, (grandfather, by his second wife, of John, the first duke of Norfolk), by whom she had issue Sir John Howard, whose daughter and heir Elizabeth married John Vere, twelfth earl of Oxford, in which title this barony continued merged till the death of John, the fourteenth earl, in 1526, when it fell into abeyance among his three daughters and coheirs, viz: Dorothy, who married John Nevill lord Latimer;† Elizabeth, who married Sir Anthony Wingfield, (represented in 1825 by Francis Dillon, a baron of the Roman empire); and Ursula, who married George Windsor, and secondly, Sir Edmund Knightley, s.p.



PLESSETIS.—(25 EDW. I.)

HUGH DE PLESSETS, son of John de Plessets, or Plessetis, earl of Warwick, by his first wife Christian, daughter and heir of Hugh de Sandford, had the manor of Hokenorton

* Dug. Lists
of Sum.
† Esch. 20
Edw. I., n. 156.

and other manors in the county of Oxford, which were of his mother's inheritance; and the 5 Edw. I. was summoned with the earls and other barons to be at Worcester,* *equis et armis*, to march against the Welch. He died circ. 20 Edw. I.† and was succeeded by

‡ Dug. Lists
of Sum.
§ Esch. 29
Edw. I., n. 54.

Hugh de Plessets, his son and heir, who, the 25 Edw. I., had summons to a parliament at Salisbury; and the 27 Edw. I., to a parliament at London,‡ but not after, and died circ. 29 Edw. I., seised of the manors of Hokenorton, Missenden, etc.,§ leaving

Hugh de Plessets his son and heir, who never had summons to parliament, nor any of his posterity, of whom Dugdale does not make further notice, as not considered in the rank of barons.^a

PLUGENET OR PLUKENET.—(23 EDW. I.)

|| Dugd. Lists
of Sum.

ALAN DE PLUGENET, a person of much estimation for his wisdom and military exploits, had summons to parliament the 23 and 25 Edw. I. In the 26 he was summoned *equis et armis* to Carlisle, in which writ the earls and barons being distinguished by their respective ranks, he is denominated as one of the latter degree,|| he died the year following, leaving Joan his wife surviving, and

¶ Vide writ in
vol. ii.
** Estr. 19
Edw. II., Rot.
5.

Alan de Plugenet his son and heir, who had summons to parliament the 5 Edw. II., and in the writ is designated a baron,¶ as his father was, (as before noted in the 26 Edw. I.), but he was never again summoned to parliament. He seems to have died circ.** 19 Edw. II., s.p., leaving Joan de Bohun his sister and heir, whereby on his decease without issue, the inheritance passed to Sir Richard de la Bere, her father's brother's son by the whole blood, i. e. son of Richard de la Bere, brother of the whole blood to Alan Plugenet

†† Mag. Brit.
Wilts.

her father††

‡‡ Rot. Pat.
25 Edw. III.,
m. 9, Pars. 3.

The 1 Edw. III. Joan Bohun at her death held a moiety of Kington Plukenet manor, in the county of Dorset, and the reversion of the other moiety, which Sibyl the widow of Alan Plugenet held in dower; Richard de la Bere her cousin and heir aged 30; the 19 Edw. III., Richard de la Bere and Claricia, his wife, died seised of the same; Thomas their son and heir, to which Thomas the record‡‡ recites, viz.: "Rex confirmavit Thomæ de la Bere consanguin^o Alani de Plugenet in feodo man^o de Haselbere."

POYNTZ.—(45 HEN. III. AND 23 EDW. I.)

§§ Dugd. vol.
ii., p. 1.

HUGH DE POYNTZ married Helewysse, sister and coheir to William Malet, baron of Cory Malet, in the county of Somerset, and died circ. 4 Hen. III., leaving§§

^a Leland, vol. ii., p. 46, f. 20, says, "There is buried at Oseney yn our lady chapelle, a nobleman of the Placetes, in a fair tumber, with an image."

Nicolas de Poyntz, his son and heir, who was one of those summoned as a baron to the parliament called by the king to meet in London the 45 Hen. III.,* to whom, on his death circ. 1 Edw. I., succeeded

* Claus. m. 3, in dorso.

Hugh de Poyntz his son and heir, which Hugh had summons to parliament from the 23 Edw. I. to the 1 Edw. II. inclusive. In the 29 Edw. I. he is noticed as being one, who in the parliament at Lincoln subscribed the letter to the pope, his name being written "*Hugo Poyntz Dominus de Cory Malet.*"

Nicholas Poyntz survived his father only about four years, and died the 5 Edw. II., having been summoned to parliament in the 2, 3, and 4 of that reign.^a According to Mr. Berry, in his *Sussex Genealogies*, this Nicholas was twice married, first to Elizabeth, daughter to Eudo le Zouche,^b by which lady he had Hugh, his son and successor; secondly to Maud, or Matilda, daughter and heir of Sir John Acton, of Iron Acton, in the county of Gloucester, and by her had a son Sir John Poyntz, of Iron Acton.[†]

† Vide Fosbrook's Glouc. v. ii., pp. 525-6

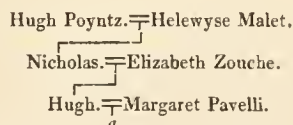
Hugh de Poyntz, son and heir of Nicholas by his wife Elizabeth Zouche, had summons from the 11 Edw. II. to the 7 Edw. III., inclusive, and as Dugdale states,[‡] died on the 13 of October the same year, being then seised of Cory Malet, and other considerable manors, leaving

‡ Baron. vol. ii., p. 2.

Nicholas Poyntz, his son and heir aged 17, who the 14 Edw. III. performing his homage, and being then at age, had livery of his lands,[§] but never had summons to parliament; that is to say, his name is not contained in any writs of summons; but that of Hugh de Poyntz is mentioned in all the writs from the 11 Edw. II. to the 17 Edw. III.; although Dugdale asserts that Hugh de Poyntz deceased the 7 of Edw. III., as before related. When Nicholas died does not appear, but by Alianore his wife, daughter of Sir John Erleigh, knight, he left issue two daughters his coheirs, of which, Amicia, or Avicia was wife of John Barry, and Margaret, of John de Newburgh.

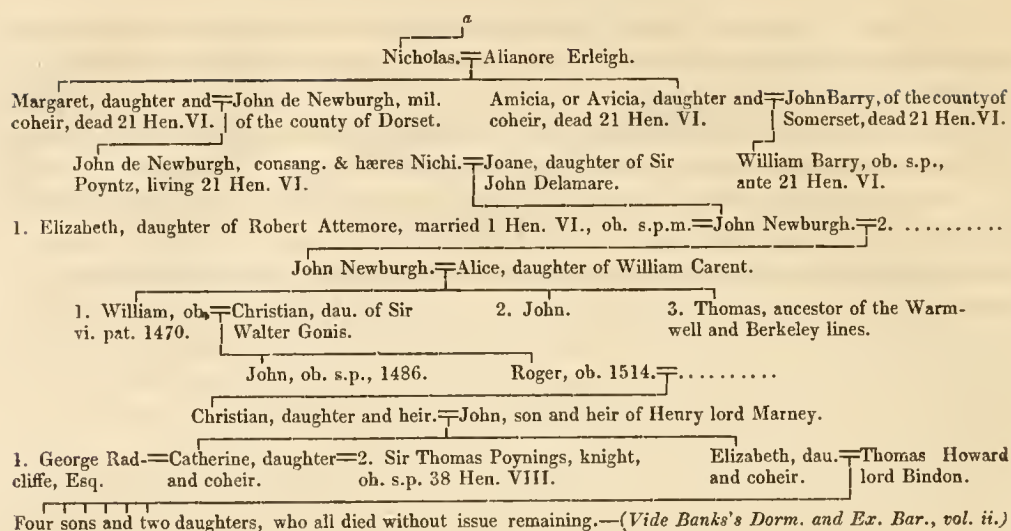
§ Ibid.

The descent of Poyntz thus given after Dugdale is controverted by another. According to the Escheat Record of the 21 Hen. VI., the difference is, that Dugdale gives five descents from Helewyse Malet to the last Nicholas, and the other only three, as set forth in the following table.



^a The name of this Nicholas is omitted in Dugdale's Lists of Summons, though it is contained in the writs of the above mentioned years.

^b Dugdale names this Elizabeth to be the daughter of Milicent de Montalt by her first husband William le Zouche, but under Zouche and Cantilupe he makes Milicent to have first married Montalt, and secondly Eudo, not William Le Zouche.



POYNINGS.—(22 Edw. I.)

THOMAS DE POYNINGS held ten knights's fees in Poynings, in the county of Sussex, and had two sons, Michael and Lucas,* of these

* Dugd. Bar., vol. ii, p. 133.

Michael de Poynings had summons to parliament the 22 Edw. I., but his name does not appear in any subsequent writ of summons.

† Ibid. p. 134.

Thomas, his son and heir, (for so Dugdale says† *I gness*) had summons to parliament the 11 Edw. III., but he was slain shortly after in the great sea-fight with the French near Sluys, the 13 Edw. III.; he married Agnes, one of the coheirs to John, the son of Bartholomew‡ de Criol,^a and left issue Michael, his son and heir, aged 22, which

‡ Ibid.

Michael de Poynings had summons to parliament from the 16 to the 42 Edw. III. inclusive, and died the year following, leaving Joan his wife, widow of Sir John de Molyns, knight, surviving, and

Thomas de Poynings, his son and heir, who was never summoned, but died the 49 Edw. III., s.p., leaving Blanch de Mowbray, his wife, surviving, and

Richard de Poynings, his brother and heir, which Richard had summons to parliament the 6, 7, 8, and 9 Ric. II.; he married Isabel, daughter and heir of Sir Robert de Grey, then called Fitz Payne, and dying the 16 Ric. II. left

Robert de Poynings, his son and heir, who was summoned to parliament from

^a In Hasted's Kent (vol. viii., p. 69, edit. 8vo.), this Agnes is called daughter and heir of Sir Richard Rokele, by Joane, daughter and heir of Bertram de Criol, and sister and heir to John and Bertram her brothers.

the 5 of Hen. IV. to the 23 Hen. VI., after which he was slain at the siege of Orleans, in France, 2 October, 25 Hen. VI.,* leaving Alianore, the wife of Sir Henry Percy, knt., his granddaughter and next heir, viz., daughter and heir of Richard de Poynings, his eldest son, (who died before him) by Alianore his wife, daughter to Sir John Berkeley, of Beverston, knight, which

* Dugd. Bar.,
vol. ii, p. 135.

Sir Henry Percy, afterwards earl of Northumberland, was in his father's lifetime summoned to parliament as lord Poynings, and on succeeding to the earldom, merged therein the said barony, which thereafter became forfeited with the other of the Percy titles.†

† Vide Percy.

LUCAS DE POYNINGS.—(42 EDW. III.)

LUCAS DE POYNINGS, younger brother to Michael the second baron Poynings, before mentioned, had summons to parliament from the 42 to the 49 Edw. III.^a He married Isabel, one of the daughters and coheirs of Hugh, but sister and coheir of Edmund de St. John, of Basing, which Isabel was widow of Henry de Burghersh, and eventually sole heir of Edmund de St. John her brother, but in the writ of summons to Lucas de Poynings it is merely personal, viz., "*Lucy de Poynges*," without any reference to the barony of St. John; when he died does not appear, but if he was the same Lucas, who was brother to Michael, who had summons to parliament the 22 Edw. I., and did not die before the 9 of Ric. II., he must have been a very aged man, that interval of time being upwards of 90 years; by the said Isabel who survived him, and deceased the 17 Ric. II.,‡ he left issue

‡ Dug. Baron.
vol. ii., p. 137.

Thomas de Poynings his son and heir, aged thirty-six, which Thomas was styled "Lord St. John," but never had summons to parliament. By his testament, dated upon the eve of St. Thomas the apostle, anno 1428, 7 Hen. V., he desires to be buried in the choir of the priory of Borgrave in Sussex, on the north part of the tomb of the lady Philippa, sometime countess of Arundel and Pembroke, his wife, daughter to Edmund Mortimer, earl of March. To Isabel his daughter, he left one dozen of silver vessels, and constituted Maud his wife, with Sir John de Bohun, knight, his executors; after which, on the 7th of March, he died, leaving Constance, the wife of John Paulet; Alice, wife of John Orrel; and John Bonvile, his next heirs, viz: the said Constance and Alice, the daughters of Hugh his son (who died in his lifetime), and John Bonvile, son of Joane the third daughter. Constance then aged twenty, Alice nineteen, and John Bonvile aged sixteen. Maud his widow having an assignation of dower.

^a Dugdale in his Baronage says he was summoned from the 42 Edw. III. to the 9 Richard II. inclusive; but his name is not in any writ after the 49 Edw. III.

Mr. Berry in his *Sussex Genealogies*, p. 61, asserts that the lady Philippa was his second wife, and Joane, daughter of *baron Strange*, was his first, by whom he had Hugh, who died s.p.; Jane, the wife of Sir John Bonvile; Constance, of Sir John Paulet; and Alice, wife of John Kingstone, by whom she had a son Thomas Kingstone. The inaccuracy of this statement is sufficiently apparent from the ages of the respective persons before given. Mr. Blore in his *Rutland*, a work compiled with great sedulousness and research, p. 228, says that Janet, daughter of Roger lord Strange, married Thomas Poynings lord St. John. From these statements it would seem that Thomas lord Poynings (or St. John) had three wives, viz: Joane (or Janet) Strange, Philippa Mortimer, and Maud who survived him.

* V. ii., p. 178
Edit., 8vo.

Blomfield in his *History of Norfolk*,* makes mention of a Lucas de Poynings, who married Isabel, one of the four daughters and coheirs of Robert de Aguillon, by Agatha his wife, one of the daughters and coheirs of Fulk de Beaufort, and thereby acquired Poynings manor in that county. This rather intimates some great discrepance in the early account of the Poynings family given by Dugdale, particularly where he says "To this Michael succeeded another Thomas, *his son and heir, as I gness.*" But as to reconcile any discrepance would not affect the course of the barony, it is not necessary to be here entered into.

From Constance, the wife of John Paulet, descended Sir William Paulet his great grandson, who, the 30 Hen. VIII., was by patent created baron St. John, but not with the addition of *Basing*, with limitation to the issue male of his body. He was afterwards, in the 3 Edw. VI., created earl of Wiltshire; and finally, the 5 Edw. VI., was advanced to the dignity of marquess of Winchester.

It is rather singular, that though in the patent of his creation to the title of lord St. John, it is without the additament of *Basing*: yet, in his writ of summons to parliament the following year (31 Hen. VIII.) he is there written "*Willielmo Paulet de St. John (de Basing) Ch'lr*;"† and similarly to the 2 Edw. VI., there not being any writ to parliament between the 2 and 5 Edw. VI. He is not noticed as earl of Wiltshire; but in the writ of the 5 he is there summoned as marquess of Winchester, "*Thesaurario Angliæ.*"

† Dugd. Lists
of Sum.

‡ Vide Banks'
Dorm. & Ext.
Baron. vol. ii.

Charles, the sixth marquess, was created duke of Bolton by king William III., in 1689; whose great grandson Harry, the sixth duke, dying s.p.m., in 1791,‡ the title of duke of Bolton became extinct. The barony of St. John, and the earldom of Wiltshire, with the marquesite of Winchester, devolved upon the next heir male, George Paulet, esq., of Amport House, in the county of Southampton, grandfather of the marquess, (1844,) and the barony of St. John, of Basing, and barony of Lucas Poynings, if it be considered distinct from that of St. John, of Basing, fell into abeyance between the three daughters and coheirs of Harry, the sixth and last duke of Bolton, viz: Mary Henrietta,

who married viscount Hinchinbroke, afterwards earl of Sandwich, eldest daughter of the duke, by his first wife; and Catharine, who married lord Barnard, afterwards earl of Darlington, and late duke of Cleveland; and lady Amelia Paulet, unmarried; which Catharine and Amelia were daughters of the duke, by his second wife, Catharine, daughter of Sir James Lowther, baronet, who was subsequently created earl of Lonsdale.

It is worthy of remark, that Sir William Paulet, on being advanced from the earldom of Wiltshire to the title of marquess of Winchester, resigned the earldom: of which the patent was cancelled, (a proceeding not then uncommon, as the case of Pembroke, temp. Edw. IV.,) and it seems the vacancy was so looked upon by Queen Elizabeth, who, according to Naunton, is said to have offered the earldom to her cousin, the lord Hunsdon, at his dying moments, which he had much desired and long solicited, but then declined, as coming too late to a broken heart of one, who, when in full life, had been refused his request.

ROS, OR ROOS.—(45 HEN. III.)

PETER DE ROS, who lived in the reign of king Hen. I., is supposed to have taken his surname from the lordship of Ros, in Holderness waptentake, in the county of York. He married Adeline, one of the sisters and coheirs to the famous Walter Espec,* baron of Helmesley, or as sometimes called Hamlake, in the county of York.

* Vide Banks's
Dorm. & Ext.
Baron., vol. i.

Everard de Ros, his grandson, married Rose, one of the three daughters and coheirs, and eventually sole heiress of William Trusbut,† who held a baronial estate called Trusbut, and also Wartre; and dying circ. 1186, was succeeded by

† Ibid.

Robert de Ros, his eldest son, who was one of the twenty-five celebrated barons appointed to enforce the observance of Magna Charta: by Isabel his wife, daughter (but considered illegitimate) of William, surnamed the Lion, king of Scotland, he had two sons, William and Robert; to which last he gave the castle of Werke. Having become a Knight Templar, he was buried in the temple church, anno 11 Hen. III.

William, the eldest, was his successor; and having by the death of his two great aunts, the sisters of Rose, his grandmother, s. p., become sole heir of the baronial estate of Trusbut, he had livery thereof accordingly. He died the 42 Hen. III., leaving

Robert de Ros his son and heir, who married Isabel, daughter of William de Albini, (grandson of Robert de Todeni, lord of Belvoir, in the county of Leicester.‡

‡ Ibid.

In the 45 Hen. III. he was summoned by the name of "*Rob'o de Ros de Belv'r*," to that parliament which was then called by the king to meet in London.§ Afterwards, being on the part of the confederated barons, under Simon de Montfort, he was of those

§ Claus. m. 3,
in dors.—Vide
Writ in vol. ii.

select persons who had summons to the parliament convened by them in the king's name the 49 Hen. III. He died circ. 13 Edw. I., leaving

William de Ros his son and heir, who was one of the competitors for the crown of Scotland, along with Baliol, Bruce, and others, claiming as great grandson and heir of Isabel, daughter of king William the Lion, as before mentioned; but his pretension was not allowed. At the parliament at Lincoln, the 29 Edw. I., though not summoned thereto, he subscribed the famous letter to the Pope, being designated "*Willielmus de Ros Dominus de Hamlake.*" In the 22 Edw. I. he had summons by the name of "*Willielmus de Ros*" only; but in the following year, the 23 Edw. I., as "*Willielmus de Roos de Helmesly;*" by which description he continued to be named in all the subsequent parliaments to which he was summoned*, till the 9 Edw. II.; to whose coronation† he was similarly summoned. He died the 10 Edw. II., leaving by Maud, his wife, one of the daughters and coheirs of John de Vaux, two sons, viz., William, his successor, and John, a younger son, a person of considerable eminence in his time, who had summons the 1, and after, from the 6 to the 12 Edw. III.; but dying s.p. his elder brother, William, became his heir: which

* Dugd. Lists of Summ.
† Vide Coron. Rot. in vol. ii.

William de Ros having succeeded his father, had summons from the 11 Edw. II. to the 16 Edw. III.; and died the following year, leaving by Margery his wife, one of the sisters and coheirs of Giles lord Badlesmere, two sons, William and Thomas.

William de Ros, eldest son, succeeded his father, and had summons to parliament the 24 and 25 Edw. III., but died the next year, s.p.; whereby,

Thomas de Ros, his brother, became the next baron, who had summons from the 35 Edw. III. to the 7 Ric. II., inclusive, in which year he deceased, having had issue several sons; whereof, the eldest,

John de Ros, had summons from the 10 to the 17 Ric. II., when he died s. p., and was succeeded by his brother,

William de Ros, who had summons from the 18 Ric. II. to the 1 Hen. V., and died the next year, at Belvoir, where he was buried. In the 4, 7, 8, 12, and 13 Hen. IV. he is mentioned in the Rolls of Parliament as a trier of petitions, by the description of "*Seigneur de Roos.*"

John de Ros, his son and heir, never had summons, and died under age, s.p., leaving Thomas his brother, then a minor, his next heir; which

Thomas de Ros had summons the 7 Hen. VI., but died shortly after, 18 August, the 9 Hen. VI., leaving a son Thomas then only about four years old, who, the 24 Hen. VI., although not at full age, was permitted to have livery of his lands. This

Thomas de Ros had summons from the 27 to the 38 Hen. VI.; but the next year was attainted in the parliament of the 1 Edw. IV., for his faithful adherence to the House of Lancaster; and in the same year died; having had issue by Philippa his wife,

one of the sisters and coheirs to John Tiptoft, earl of Worcester, according to Dugdale, two sons, viz: Edmund and John;^a and three daughters, Eleanor, Isabel, and ^bMargaret.

Edmund de Ros, son and heir of the attainted baron, Thomas, in the 1 Hen. VII. obtained an act of parliament annulling and making void the act of attainder against his father; after which he lived some years, but never had summons to parliament. He died the 24 Hen. VII., at Enfield, in Middlesex, where he was buried in the parish church; and not having any issue, his sisters became his coheirs; and, by virtue of the act of restitution, entitled to inherit the ancient barony of Ros: of these sisters, Eleanor, the eldest, married Sir Robert Manners; Isabel, as Dugdale asserts,* married Thomas Grey, a younger son of Sir Ralph Grey, of Werke: but, according to other authority,† Sir Robert Lovel, she however died s. p.; Margaret, the third sister, is supposed to have died unmarried, no mention further of her being noticed.

* Baron. vol. i.,
p. 559.
† Collins's
Parl. Prec.
p. 163.

MANNERS BARON DE ROS.

SIR ROBERT MANNERS by the said Eleanor de Ros, who died in 1487, had issue several children, whereof

Sir George Manners, the eldest son and heir, in the inscription on the monument to his memory in St. George's Chapel, Windsor, is styled "*Lord Roos*", yet it does not appear that he ever had summons to parliament.

Thomas Manners, his eldest son, having by the death of his two great aunts, Isabel and Margaret, s.p., become sole heir of the barony of Ros, had summons to parliament the 7 Hen. VIII. as "*Thomæ Maners de Rosse Ch'lr*," and as appears from the Lords' Journals, was placed with reference to the antiquity of the said barony. In the 17 Hen. VIII. he was advanced to the dignity of earl of Rutland, whereby the barony of Ross or Roos became merged in that higher title; his grandson

Edward Manners, third earl of Rutland, dying s.p.m., the earldom of Rutland devolved upon his next brother, John Manners; but the barony of Ros descended to his sole daughter and heiress Elizabeth, which

CECIL BARON DE ROS,

LADY ELIZABETH MANNERS, married William lord Burleigh, eldest son and heir apparent to Thomas Cecil, earl of Exeter, and about the year 1591 died vitâ mariti, leaving an only son and heir

^a In the printed case of the claimants to the harony in 1803, this John is omitted, as also the name of Margaret his youngest sister.

^b In Blomfield's Norfolk, (vol. iii., p. 43, edit. 8vo.) there is mentioned a fourth daughter Joan.—*Vide Monast. Angl. vol. i., p. 728, old edit.*)

William Cecil, who in her right, was entitled to the barony of De Ros; but this title was controverted by Francis, then sixth earl of Rutland, on the ground that the barony was attracted to the earldom, and similarly descendable to heirs male only, and was not Ros or Roos solely, but Roos of Hamlake, Trusbut, and Belvoir, the estates of which denomination were then in his possession; this controversy was, however, determined by letters patent 22 July, the 14 James I., which declared that the said Francis, earl of Rutland, and his issue male should be called lord Roos of Hamlake, and enjoy the name, title, and dignity of lord Roos of Hamlake, Trusbut, and Belvoir, in all parliaments and assemblies, and that the said William Cecil should enjoy the ancient seat and place of lord Roos in all parliaments and assemblies.

Cecil lord Roos, thus confirmed in the barony, was never summoned to parliament, and dying shortly after in June 1618, s.p., the barony reverted to the said Francis, sixth earl of Rutland. This

Francis, earl of Rutland, baron Roos, of Hamlake, and baron Ros, dying in 1632, s.p.m.s., a new separation again took place. By his first wife he had an only daughter Catherine, and by his second wife two sons, who both died s.p., in his lifetime, so that Catherine became his sole heiress, who married George Villiers, first duke of Buckingham.

VILLIERS BARONESS DE ROS.

THE LADY CATHERINE MANNERS on the death of her father Francis, earl of Rutland being his only surviving child, was as such, legally entitled to the adjudged barony of De Ros. The duke of Buckingham, her husband (who was assassinated by Felton) died before her, having had issue Charles, who died an infant; George, the next duke; Francis, who died s.p.; and Mary, who married James Stuart, duke of Richmond, and had issue Esme Stuart, duke of Richmond, who died s.p.; and Mary, who married Richard, earl of Arran, s.p. On the death of the baroness, dowager Duchess of Buckingham, circ. 1666, the barony of Ros descended to her only surviving son

George Villiers, second duke of Buckingham, but he nevertheless had a competitor for the barony in John, the then earl of Rutland, and counsel on both sides were heard at the bar of the House, when after much and serious debate, it was proposed to make a representation to the king for the compromising the differences between the duke and the earl; but whether the recommendation agreed upon was ever presented, or if it was, what was the answer of his Majesty, is not traced; the duke died in 1687, s.p., and his sister Mary, duchess of Richmond, about two years before. Thus the barony of De Ross fell into abeyance between the sisters and coheirs of George, seventh earl of Rutland, brother and heir male of Francis, the sixth earl, before mentioned.

Of these coheirs, Bridget, the eldest, married — Tyrwhitt, Esq., whose grandson Francis, left issue Catherine Tyrwhitt, wife of Sir Henry Hunloke, grandfather of Sir Henry Hunloke, baronet, eldest coheir in 1803; Elizabeth, countess of Sunderland, died in 1653, s.p.; Mary died an infant; and Frances married the lord Willoughby, of Parham, whose son Francis lord Willoughby left three daughters his coheirs, viz.: Diana, countess of Winchelsea, who died in 1648, s.p.s.; Frances lady Brereton, whose three sons died s.p.; and Elizabeth lady Ranelagh, whose eldest daughter Elizabeth, countess of Kildare, died in 1748, s.p.; Katherine, her third daughter, unmarried, in 1746; and Frances lady Coningsby, her second daughter, who had issue Margaret, who died s.p., circ. 1760; and Frances, who married Sir Charles Hanbury Williams, by whom she had Frances, the wife of the earl of Essex, (whose issue was George, earl of Essex, and Elizabeth, lady Monson, both living in 1803;) and Charlotte, who married the Hon. Robert Boyle Walsingham; and had issue Charlotte, who married lord Henry Fitz Gerald, fourth son of James, first duke of Leinster: which Charlotte Fitz Gerald, in 1803, preferred her petition to the king, to terminate the abeyance of the barony of De Ross. This petition was referred to the Attorney General, and on his report to a committee of privileges, in the house of lords, by whom, in 1806, it was resolved that the said barony was in abeyance between Sir Henry Hunloke, of Wingerworth, in the county of Derby, baronet; George, earl of Essex; and her the petitioner, lady Charlotte, otherwise lady Henry Fitz Gerald. Afterwards, in October 1806, His Majesty was pleased to determine the abeyance in her favour, and she was accordingly declared baroness de Ros.

Sir Harris Nicolas, in his *Peerage Synopsis*,* has remarked, that lady Henry Fitz Gerald, as youngest daughter, was only coheir of a moiety of the barony, the entire representation of the eldest coheir being vested in Sir Henry Hunloke; and that he was not aware of any similar instance of the grace of the crown having been exercised in favour of a coheir, who did not wholly possess one moiety of the dignity. But the influence of the Fitz Gerald family, in parliamentary power, and family connection, was far above that of Sir Henry Hunloke.

It may deserve observation, that when the barony was assigned to Cecil, against Francis, earl of Rutland, it was because Robert de Ros had been summoned to parliament the 49 Hen. III., nominatim, without any distinction of barony. Yet that summons can scarcely be deemed the creation of a peerage dignity, when the writ admits of a doubt whether it was a call to a legal parliament, the persons summoned being only a small portion of the peerage, and that portion composed of the rebellious barons, and not of the king's friends. At the same time it has been here shown, that he had been four years before, viz., the 45 Hen. III., summoned by the king's writ, while a free man, (not in the custody as a prisoner to Simon de Montfort,) to a parliament at London, by the description of "*Robert de Ros de Belvoir*."

* Vol. ii. p. 550

WILLIAM DE ROS DE IGMANTHORPE.—(22 Edw. I.)

OF this William de Ros, Sir William Dugdale has not in his Baronage made any mention; but from his Lists of Summons it appears that he was called by writ in the 22 Edw. I.* to a parliament, for the time and place for the meeting whereof not any mention was made therein, though a parliament was holden at Westminster in that year. He was also summoned in the 24 Edw. I., along with Robert de Ros, of Werke, (who, by Dugdale, under the article of Ros, of Werke, is called his brother,)[†] to attend equis et armis at Newcastle-upon-Tyne, and to a great council to be holden there; but his name does not appear in any subsequent writs of summons, nor any of his posterity, which long continued in the male line, and of whom some account may be found in Thoroton's History of Nottinghamshire; as however they were not considered within the rank of barons, the further mention of them is here unnecessary. Sir Harris Nicolas, in his Peerage Synopsis,[‡] attributes the summons of the 22 Edw. I., by the description of "*William de Ros de Igmantorpe*," to apply to *William de Ros, of Helmesley*; yet, on reference to the writ, it will seem that the two Williams are therein distinctly named, and therefore could not be one and the same person.

* Dugd. Lists of Summ.

† Baron., v. i. p. 554.

‡ Vol.ii. p. 547 (note)

ROBERT DE ROS DE WERKE.—(22 Edw. I.)

ROBERT DE ROS, of Werke, was the younger son of Robert de Ros, of Helmesley, by Isabel, his wife, daughter of William, the lion king of Scotland, and by gift of his father obtained the castle and barony of Werke. This Robert is, by Dugdale and Sir Harris Nicolas, made to be the same person as had the summons to parliament the 22 Edw. I.; but on the comparison of dates, it will rather seem that it was Robert, his son, who was so summoned; the interval between the writ of the 22 Edw. I., and the death of Robert, his father, the 11 Henry III., who gave him the castle of Werke, being nearly sixty-seven years, and supposing him at that time under twenty years old, his elder brother William, of Helmesley, being then of full age, he must have been nearly if not upwards of eighty years old; be it as it may

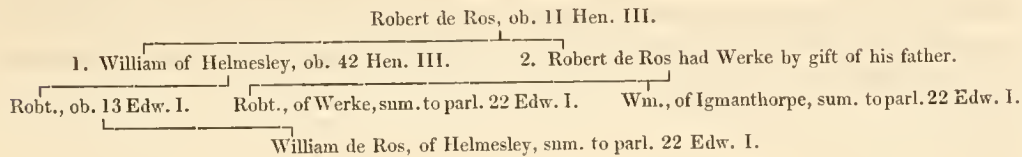
Robert de Ros, along with William de Ros, of Helmesley, and William de Ros, of Igmantorpe, had summons to parliament the 22 Edw. I. as "*Robertus Ros de Werke*," and again[§] to two parliaments by the same description the 23 Edw. I.; also the 24 Edw. I. equis et armis to Newcastle-upon-Tyne, and a great council to be there holden; after which he was never again summoned, nor any of his posterity, and being accused of treason, his lands and honours became forfeited.

§ Dugd. Lists of Summ.

He married Margaret, one of the sisters and coheirs to Peter, the last Brus, baron of Skelton, son of Peter de Brus, by Helewisia his wife, sister and coheir to William de Lancaster, baron of Kendal in the county of Lancaster, whereby the castle of Kendal was acquired, which the said Margaret gave to William her son, who died the 3 Edw. II., leaving Thomas his son and heir, who had issue John, who dying the 32 Edw. III. s.p.m., left Elizabeth his daughter and heir, then an infant, who afterwards became the wife of Sir William Parr, knight, from whom descended the Parrs of Kendal.

But it is to be observed that records differ, for by one inquisition,* it was found that he had issue the son William, before mentioned; and by another,† that he had two daughters, heirs to their mother, viz., Margaret the wife of John Salvain; and Isabel the wife of John de Knock; which Isabel lived not long, as it seems that the 6 Edw. II., Margaret called herself daughter and heir of Robert de Ros of Werke, and petitioning the king for pardon of her father's forfeiture, had letters patent granted to her in terms of her request.

* Esch. 35
Edw. I., n. 31.
† Esch. 2
Edw. II. n. 42.



RYTHRE.—(28 EDW. 1.)

WILLIAM DE RYTHRE, lord of Rythre, in the county of York, in the 26 Edw. I. had summons to Carlisle equis et armis, but though not a summons to parliament, yet in the writ he *is designated a baron*, the earls and barons then summoned being respectively distinguished by their rank.‡

After this he had summons to parliament from the 28 Edw. I. to the 1 Edw. II. inclusive. Though summoned to the parliament at Lincoln the 29 Edw. I., he is mentioned§ as one who did not subscribe the letter then written to the pope, but in the 35 Edw. I. his name appears in the writ, as then present in parliament, those who were excused attendance having the same specially noted.|| To him succeeded

John de Rythre,^a governor of Skipton Castle the 11 Edw. II., with whom Dugdale concludes his account of this family, observing that neither the said John nor any of his descendants ever after had summons to parliament. His representatives however appear

a Of this name was a William Rider, an apprentice on London Bridge, who was the first to knit worsted stockings in England; a pair of which he presented to William, Earl of Pembroke, anno 1564.

* Esch. 35
Edw. I., n. 31.
† Esch. 2
Edw. II., n. 42.

† Dugd. Lists
of Sum. Vide
writ in vol. ii.

|| Ibid.

* Dugd. Lists
of Sum., v. ii.

to have obtained by marriage a coheirship in the barony of Aldeburgh,* and if a succession of writs of summons can be considered to have created a personal barony descendable unconnected with the tenure in capite of land, these representatives may be deemed to have as good pretension to a seat in the house of lords, as some others to whom such a right has been allowed.

† Vide vol. ii.

Although Dugdale has stated that William de Rythre was succeeded by John, he has not stated whether as son and heir. He might be so, and if not, a misnomer for Robert, might die s.p. This inference is drawn from Nalson's MS. pedigrees in the Minster Library at York, which appear to be a transcript from an Harleian MS. in the British Museum, No. 4630, and recite that William Rythre (or Ryther) of Ryther, married Ellinor, daughter of John Fitz William, of Sprotborough, and had issue Robert, father of Robert, father of a third Robert, who married Anne, daughter and heir of Sir William Tunstall, and had issue William, who married Isabel, (rather Sibilla), daughter of Sir William Aldeburgh, as mentioned in the second volume of this work.† It is to be regretted that in these pedigrees, dates are not given, which is a defect too frequent in most MSS. of ancient families, thereby occasioning many anomalies and great confusion. The chief excuse to be offered for the multifarious contradictions of heralds, as leaving the door open for *ghess* and *construction*.

SANDYS OF THE VINE.—(21 HEN. VIII.)

THE first of this family raised to the rank of a baron of the realm, (though it long before was of considerable note in Hampshire), was

Sir William Sandys, who, for his eminent services temp. Hen. VII. and Hen. VIII., was made a Knight of the Garter, and according to Dugdale, was advanced to the peerage by the title of "*Lord Sandys*," 27 April, 1523; but there is not upon record any patent showing this creation, which as the date implies, was six years before he had summons to parliament, his first writ being November 3, the 21 Hen. VIII., anno 1529, directed "*Willielmo Sandys (de Vine) Chivalier*;" after when, in the 28, 31, and 33, he was again summoned, and died the year following, 1542, leaving by Margery his wife, only daughter of John Bray, (brother and heir to Reginald Bray), Thomas his son and heir, and four daughters whose names are not mentioned by Dugdale,^a which

^a Of these daughters Mary married, first, Sir William Pelham, and secondly, John Palmer, of Augmering; Anne, or Alice, married Walter lord Hungerford, of Haytesbury (his second wife); Elizabeth, Sir Humphrey Forster; and Margaret, or Margery, Sir Thomas Essex. He is also said to have had two sons, viz: Reginald and John, both priests, who died s.p.—(*Harl. MS.*, No. 1160, (39).

Thomas, second lord Sandys,* had summons to parliament from the 35 Hen. VIII. to the 6 Philip and Mary; to whom succeeded^a

* Vide Banks's Dorm. & Ext. Bar. vol. ii.

William, third lord Sandys, his grandson, (being son and heir of Henry his eldest son, who died in his lifetime); which William had summons to parliament from the 14 queen Elizabeth to the 19 James I., and died shortly after. He was twice married, first to Christian, daughter of Bryan Annesley, esq.,† by whom he had one son William, his heir; secondly to Catherine, daughter of Edmund Bridges lord Chandos,‡ by which lady he had an only daughter Elizabeth, who married Edwin, son of Sir Miles Sandys, of Latimers, in the county of Buckingham.

† 2nd. wife, Harl. MS. no. 1160.

‡ Vide Mem. of Peers, temp. James I., per Egerton Bridges, Esq.

§ Anno 1629, Harl. MS. no. 1160, (39)

William, son and heir, fourth lord, was never summoned, and dying s.p.,§ was succeeded by his half nephew, Henry, son and heir of Edwin Sandys, by Elizabeth his half sister, before mentioned, which

Henry, fifth lord Sandys, though heir to the barony, was never summoned, by reason of the interruption of the civil war, during which he was mortally wounded in the battle of Bramdene, near Alresford, and died the 6 April, 1644, leaving

William his son and heir, who after the restoration was summoned to parliament the 13 Charles II., and died in 1668, s.p.; whereby his next brother

Henry succeeded to the barony, and had summons the 31 and 32 Charles II., but died in 1680, s.p.; when

Edwin his brother became the next heir. He however does not appear to have been ever summoned, and is said to have also died issueless, circ. anno 1700, leaving his six sisters, or their representatives, his coheirs, in whom the barony now remains in abeyance; of these

Hesther married Humphrey, son of Sir William Noy, attorney-general to king Charles I., represented now (as said) by Davies Giddy, esq., M.A., F.R.S.; Alatheia married Francis Goston, esq.; Mary, Dr. Henry Savage, principal of Baliol College, Oxford; Jane married John Harris, esq., of Woodstock; Margaret married Sir John Mill, represented by Madam Sophia Della Cainea, sole surviving daughter and heir of Sir Richard Mill, bart., great-grandson of Sir John Mill by Margaret Sandys his wife; and Margery the sixth daughter married Sir Edmund Fortescue, of the county of Devon, bart.

SAY.—(45 HEN. III. AND 22 EDW. I.)

WILLIAM DE SAY, (whose ancestor Picot de Say, lived in the time of the conqueror) was one of the barons summoned to the parliament called to meet in London the 45

^a Leland, (vol. iv. p. 10,) says this Lord Sandys had four sons and six daughters yet living by her. But Dugdale does not notice the same. In Thynne's Chronicle, it is mentioned that a younger son of the Lord Sandys was executed at St. Thomas Waterings, for a robbery committed by him and others to the value of £3000, June 18, 1556.

* Claus. m. 3, Hen. III.* He was on the king's part at the battle of Lewes, and died the 56 Hen. III., dorso.—Vide leaving a son
Writ in vol. ii.

William, who, the 22 Edw. I., had summons to parliament, but died in the following year, and was succeeded by

Geffery de Say his son and heir, then aged fourteen, who, the 34 Edw. I., attaining his majority, had livery of his lands on doing his homage. Afterwards he had summons to parliament from the 7 to the 14 Edw. II., the year ensuing of which he died, leaving

Geffery de Say his son and heir, aged seventeen, who, the 19 Edw. II., performing his homage had livery of his lands. The 10 Edw. III. he was constituted admiral of the king's Fleet from the Thames westward, and was employed in the wars of France and Scotland, but died the 33 Edw. III., having been summoned to parliament in the years 16, 22, 23, 26, and 27 of that reign. By Maud his wife, daughter of Guy de Beauchamp, earl of Warwick, he had issue three daughters, viz: Idonea, who married John de Clinton, of Maxtock, in the county of Warwick, knight; Elizabeth, who married John de Aldone; and Joane, who married, first, William Fienes, and secondly, Stephen de Valloines; and a son William who was his successor,^a which

William de Say does not appear to have been a person who made any great figure in his time, but had summons to parliament from the 36 to the 47 Edw. III. He married Beatrice, daughter of Thomas de Braose,[†] and had issue a daughter Elizabeth, and a son

[†] Jones's Brecon, vol. i. app.

John de Say, who never had summons to parliament, and died under age, s.p., leaving his sister Elizabeth his heir, who married, first, Sir John de Fallesle, knight, and secondly, Sir William Heron, knight, both which husbands were successively summoned to parliament, and most probably in her right; but their writs being personal, without any reference to the title of Say, they cannot be here recited as barons de Say: they however both died s.p., so that there not being any issue from the said Elizabeth, her three aunts, or their representatives, became coheirs, and the barony fell into abeyance. Of these ladies, Elizabeth, the wife of John de Aldone, had two daughters, whereof Mary married Otho de Worthington, s.p., and Maud her sister also married but died s.p., the abeyance therefore became between the issue of Idonea de Clinton and Joane de Fienes.

CLINTON BARON SAY.—(1 JAMES I.)

EDWARD DE CLINTON, sixth in descent from the said Idonea de Say, was created earl of Lincoln the 4th of May, 1571, and died in 1584, leaving

^a There is said to have been two other sons, viz., Thomas, and John, who probably died young, or vitâ patris. s.p.; for had they lived to have had issue, such issue would have had precedence of right to the said three daughters.

Henry his son and heir, second earl of Lincoln, whose eldest son and heir apparent, Thomas de Clinton, was called to parliament vitâ patris, by writ* the 1 James I., directed "*Thomæ Clynton (de Say) primogenito comitis Lincoln. Teste, &c., 18 February, anno 1 James I.*" He is thus described in the Journals of the House of Lords, viz: "*Thomas lord Clinton introduced, being summoned by writ, the manner whereof is particularly expressed 2 June, 1610.*"

* Dugd. Lists of Summ.

The heir general of this Thomas lord Say is the present lord Clinton,† who with that title also combines that of the barony of Say. † Vide Clinton.

Sir Harris Nicolas in his Peerage Synopsis,‡ has observed that on the creation of Sir James Fienes to be lord Say and Sele, in 1447, John, then lord Clinton, relinquished all claim to the barony and arms of Say; but according to the decisions relative to the surrender of dignities, it seems that the act of the said lord Clinton could not affect the interests of his representatives to that dignity, which in fact appears to be shown by the before said writ of summons of lord Thomas Clinton. ‡ Vol. ii. p. 575

SAY AND SELE.—(27 HEN. VI.)

SIR WILLIAM FIENES, by Joane his wife, sister and coheir to William baron Say, and aunt and coheir of Elizabeth baroness de Say, had issue William Fienes, who had two sons, whereof Sir Roger, the eldest, was father of Sir Richard Fienes, who was summoned to parliament, jure uxoris, as baron Dacre,§

§ Vide Dacre.

Sir James Fienes, the youngest, was summoned to parliament the 27 Hen. VI., by writ directed "*Jacobo de Fynes militi, Domino Say, and de Sele Chiv*," the same summons he also had in the following year; but Dugdale|| says he was created baron Say and Sele 5 March, 1447, with *remainder to the heirs male of his body*, yet nothing of this creation is to be found either in the Clause or Patent Rolls, which leaves it to be considered that his elevation to the peerage was by personal writ of summons. He however became very unpopular, and in the insurrection of the Kentish men under Jack Cade was seized by them, and had his head chopped off at the Standard in Cornhill,¶ in 1451. His son

|| Baron., v. ii. p. 245.

¶ Vide Banks' Dorm. & Ext. Baron., vol. ii.

William Fienes, second baron Say and Sele, was summoned to parliament from the 29 Hen. VI. to the 9 of Edw. IV., sometimes as *Willielmo Fenys militi Domino Say*, or as *Willielmo Fenys de Say*. He was slain at the battle of Barnet, in 1471, on the part of king Edward; he married Margaret, daughter and heir of William Wickham, son and heir of Sir Thomas Wickham, son of William Perot by Alice his wife, daughter of William Champnies by Agnes his wife, sister to William of Wickham, the famous bishop of Winchester, founder of Winchester College and of New College, Oxford, by which marriage he acquired the castle of Broughton, in the county of Oxford, and his descendants a right of founder's kin to those celebrated colleges.

Henry, his son died in 1476, but was never summoned to parliament, nor was Richard his son, who died under age, though they were called lord Say.

Edward, his son and heir, never used the title, and died in 1529, nor was Richard, his son, ever summoned to parliament; but his son, another

Richard, is said to have obtained a confirmation of the title of baron Say and Sele to him and the heirs of his body, by patent the 9th of August, 1603, and had summons to parliament the 1 of James I.* as "*Richardo Fynes de Say and Sele Chiv.*," after this

Sir William Fienes, his son and heir, was by other letters patent 22 James I. advanced to the title of viscount Say and Sele, and by that title introduced into the House of Lords 22 June, 1625;† he was, according to lord Clarendon, of a close and reserved nature, of a mean and narrow fortune, but of great parts and of the highest ambition,—he was poor, proud, and discontented. He was made by Oliver Cromwell, one of his

† Vide Banks' Dorm. & Ext. Baron.

lords,‡ and lived to see the restoration, and rather strange to say, to be made lord Privy Seal; he died 14 April, 1662, and was succeeded by

James, his son and heir, second viscount Say and Sele, who married Frances, one of the daughters and coheirs of Edward Cecil viscount Wimbledon, and had issue John and William, who died in their infancy; also another William, who died in France, s.p.; and two daughters hereafter mentioned. Dying thus, in 1673, without issue male surviving, the viscounty of Say and Sele devolved upon his nephew William Fienes, only surviving son of his brother Nathaniel Fienes, and the barony of Say and Sele fell into abeyance between his two daughters, whereof Frances, the youngest, married Andrew Ellis, of the county of Flint, esq., and died leaving an only daughter, Cecil, who married first, Sir Richard Langley, and secondly, William Fienes, but died s.p., in 1715,§ whereupon the abeyance of the barony of Say and Sele was determined.

§ Mon. Inscr. apud Broughton.

Elizabeth Fienes, eldest daughter and coheir, and thus eventually sole heiress of James viscount Say and Sele, married John Twisleton, of Horseman's Place, in the parish of Dartford, in the county of Kent, esq., by whom she had issue two sons and a daughter, who died in their infancy,|| and one daughter Cecil, who survived her; she died the 8th of March, 1673, and was interred in Bunhill Fields burying ground, London.¶

|| Ibid. apud Dartf.
¶ Ibid. Bunhill Fields.

Cecil Twisleton, only surviving issue and heir of the said Elizabeth, married, first, George Twisleton, of Woodhall, in the parish of Wormersley, in the county of York, esq., and secondly, Robert Mignon, esq. By her first husband she had issue a son

Fienes Twisleton, who was a colonel in the army, and died 4 September, 1730, leaving

John Twisleton, his son and heir, who, in 1733 presented a petition to his majesty George II. claiming the barony of Say and Sele as heir general of the body of Sir Richard Fienes (or Fenys); which petition, on the attorney-general's report, was referred to

the house of lords, who sat in committee thereon several times, but the further hearing being on the 1st of April, 1734, adjourned for a fortnight, the parliament was prorogued on the 16th, and was immediately dissolved. After which it does not appear that Mr. Twisleton ever took any further proceedings, though he lived long after, and did not die till the year 1763.

He married, as it is said *on the faith of a Fleet Register*, 30 Dec., 1733, a female named Anne Gardner, (of humble rank,) by whom, with other issue, he had

Thomas Twisleton his eldest surviving son, who renewed the claim of his father, and after having gone through the Lords' Committees of Privileges, had the barony reported in his favour, and he was accordingly summoned to parliament as baron Say and Sele, 29 June, 1781.

In this case a great deal of evidence was given that Mr. Twisleton and Anne Gardner had the reputation of being married, and as such were visited by the earl of Guilford, and others of the first families in Oxfordshire, which seemed necessary to be brought forward to controvert a belief entertained by many to the contrary. That such a marriage might take place, may be admitted; but this gives not any proof that the children were not born before the marriage.

The printed case rather singularly states, that "*Parol evidence will be given of the birth of Colonel Thomas Twisleton in 1735.*" This date is subsequent to the marriage undoubtedly; yet if he had not been born prior, it seems not a little extraordinary that a parochial register of baptism could not be produced instead of parol testimony. If Mr. Twisleton was so careful and anxious about the copy of his Fleet marriage, as to preserve it, and desire it to be taken care of, as appears among his papers, it might be well imagined he would have been equally careful to have had the birth of his sons properly entered in the register of baptisms of the parish wherein they were born, to corroborate the proof of his actual and antecedent marriage. A Fleet certificate antedated was of easy acquirement. This case may form an analogy to that of Berkeley, the difference only, that it was successful, which result seems to meet the remark contained in one of the reports of the Lords' Committees for Inquiry, touching the dignity of the peerage, viz.: "*That it may be doubted whether the House has not in some cases been induced to their decision by influence, or by party motives.*" Upon the whole it would seem that a more rotten case, seldom, if ever before, came under their consideration.

SCALES.—(27 Edw. I.)

ROBERT DE SCALES, (said* to be descended from Harlewin de Scalariis, lord of Waddon in the county of Cambridge, at the conquest), had summons to parliament from the 27

* Parkins's
Topog. of
Freebr. Hund.
and Half co.
Norf.

to the 33 Edw. I., inclusive, and died the same year. In the 29 Edw. I. he was one of the barons who in the parliament at Lincoln subscribed the letter to the pope, being then written "*Robertus de Scales Dominus de Neuseles*."^a

Robert de Scales, his son and heir, had summons to attend the coronation of Edw. II.,* and was called to parliament from the 34 Edw. I. to the 15 Edw. II., and died circ. the 18th of the same reign, leaving his son and heir Robert in minority; for whose wardship Egelina his mother, daughter of Hugh, and sister to Hugh de Courtenay, earl of Devon, paid two hundred marks fine to the king. This

Robert, third lord Scales, after having attained his majority, and had livery of his lands, distinguished himself in the wars of France and Scotland, and had summons to parliament from the 16 to the 43 Edw. III., inclusive, in which year he died, leaving by Catherine his wife, daughter of Robert, and sister and coheir to William de Ufford, earl of Suffolk,† Roger his son and heir, fourth lord Scales, aged twenty-two, and two daughters, viz: Margaret, who married Sir Robert Howard; and Elizabeth, who wedded Sir Roger de Felbrigg, which

Roger, fourth lord Scales, the 5 Richard II., was found by inquisition to be one of the coheirs to William, earl of Suffolk; and having had summons to parliament from the 49 Edw. III. to the 9 Richard II., inclusive, died the next year, leaving Joane his wife, daughter and heir of Sir John de Northwode, surviving, and

Robert de Scales his son and heir, fifth baron, who the 1 Hen. IV., was one of the lords in parliament who voted for the safe custody of the deposed king Richard II. He had summons from the 20 Richard II. to the 3 Hen. IV., and died soon after, viz: the 4 Hen. IV., leaving two sons, Robert and Thomas, whereof the eldest,

Robert de Scales, the sixth lord, was never summoned, but died unmarried the 7 Hen. V., whereby his brother Thomas became his successor, which

Thomas, seventh lord Scales, had summons from the 23 to the 38 Hen. VI., but lost his life in support of the Lancastrian cause, 25 July, 1460.‡ By Emma his wife, daughter of Sir Simon Walesburgh,§ he had a son Thomas who died before him, and an only daughter and heiress Elizabeth, who married, first, Henry Bourchier, second son of Henry, earl of Essex, s.p., and secondly, Anthony Widville, son and heir apparent of Richard Widville earl Rivers.^b

‡ Stow's Annals, & Hall's Chron.
§ Morant and Parkins.

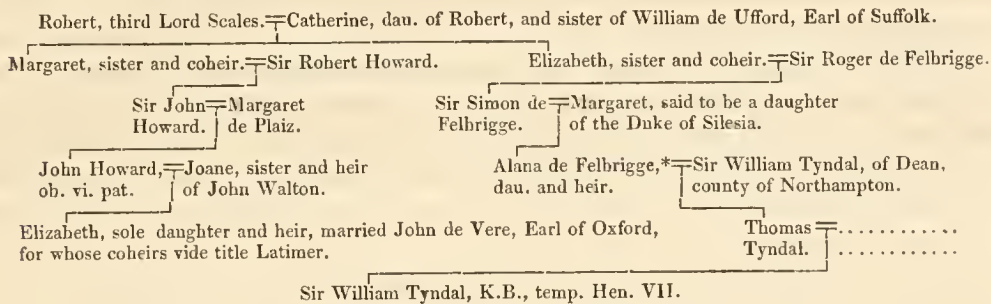
^a This manor was acquired by the marriage of his grandfather Robert de Scales with Alice, daughter of Sir Ralph de Rossa, sister and heir to her brothers William and Peter de Rossa, or Roucester. Dugdale only mentions her christian name.

^b Thus terminated the male line of the ancient and noble family of Scales. Their castle at Middleton, near Lynn, in Norfolk, was a magnificent building; and though now in ruins, yet they bespeak the dignity and power of the founder, and the difference between ancient and modern nobility.—(Vide Banks's *Dorm. and Ex. Baronage*, vol. ii., *Scales*.)

WIDVILLE LORD SCALES.—(2 EDW. IV.)

ANTHONY WIDVILLE, son and heir apparent of Richard earl Rivers, had summons to parliament the 2 and 6 Edw. IV., vitâ patris, as "*Antonio Wydevile Domino Scales.*" He succeeded his father as second earl Rivers, but was beheaded in 1483, being one of the most accomplished noblemen of his day.* His sister Elizabeth was the wife of king Edw. IV. Dying s.p.l.,^a the barony of Scales devolved in abeyance between the issue before mentioned of Margaret and Elizabeth, the two sisters, and eventually coheirs, of Roger, fourth lord Scales.

* Vide Walpole's Nob. Auth. and Banks's Dorm. and Ext. Bar. vol.iii. Rivers.



* In 1431 she was wife of Sir Thomas Wanton, and is so named in her father's will, dated September, 1432.

SCROPE OF BOLTON.—(8 EDW. II.)

HENRY LE SCROPE,^b or Scroope, was appointed a justice of the common pleas, in the 3 Edw. II., and in the 10 was made chief-justice of the king's bench, in the room of William Inge.† In the 8 Edw. II. he had summons to parliament among the earls and barons; but in that writ the king's justices, and others of the king's council were intermixed with the barons;‡ after when, to the 19 Edw. II., he was only summoned along with others the king's justices. He died circ. 10 Edw. III., and was buried at St. Agatha's, near Richmond, in the county of York, where divers of the family were interred.§ He was seised of East Boulton, Little Boulton, and other Lands in the county of York.

† Chron. Jurid.

‡ Dngd. Lists of Summ.

§ Leland vol. viii. p. 13.

William le Scrope, his son and heir, was never summoned, and died s.p., leaving

Richard le Scrope, his brother and heir, who was summoned to parliament from the 44 Edw. III. to the 3 Hen. IV., and died the year after, leaving

Roger le Scrope, his son and heir, who had summons only in the 5 of Hen. IV.,

^a By a beloved mistress named Gwentlian, daughter of Sir William Stradling, he had a daughter Margaret who married Sir Robert Poyntz of Acton Iron, county of Gloucester.—*Blomfield's Norfolk*, vol. ix., p. 26, 8vo. edition.

^b Dngdale's account of the early part of this family is very unconnected; but in Leland (vol. viii., p. 13), there appears more consistency of information.—(Vide Banks's Dorm. and Ex. Baron., vol. ii.)

and died the next year, leaving by Margaret, his wife, one of the daughters and coheirs of Robert de Tibetot,*

* Vide Tibetot.

Richard le Scrope, his son and heir, who never was summoned, and died at an early age, circ. 8 Hen. V.,† leaving

† Esch. 9 Hen. V., m. 27.

Henry le Scrope, his son and heir aged three years, who after attaining his majority had summons to parliament from the 20 to the 33 Hen. VI. as "*Henrico le Scrope (de Bolton), Ch'vr.*," being the first time of being so distinguished. He died the 37 Hen. VI., leaving by Elizabeth, his wife, daughter of John lord Scrope, of Masham,

‡ Dug. Lists of Sum.

John le Scrope, his son and heir, whose name is contained in the writs of summons from the 38 of Hen. VI. to the 12 Hen. VII.,‡ though Dugdale asserts he died the 12 July, 1494.^a By Joane, his first wife, daughter of William lord Fitz Hugh, he had issue

§ Baron., vol. i., p. 657.

Henry le Scrope, his son and heir, who was never summoned to parliament. According to Dugdale,§ he is said to have been twice married, first, to Elizabeth, daughter of Henry Percy, earl of Northumberland, by whom he had Henry, his son and heir; and secondly, Alice sole daughter and heir of Thomas lord Scrope, of Upsal,^b by whom he had a daughter Elizabeth, married to Sir Gilbert Talbot. He died circ. 22 Hen. VII., and was succeeded by

|| Dug. Lists of Sum.

Henry le Scrope, his son and heir, who had summons from the 6 to the 21 Hen. VIII., but it is to be observed, that in the writs of the 6 and 7 Hen. VIII.|| he is erroneously named *Richard*, an error probably in transcribing the list from the rolls of those years, which in the subsequent writs was corrected. By Mabel, daughter of Thomas lord Dacres, he had issue

John le Scrope, his son and heir, who had summons from the 25 Hen. VIII. to the 6 Edw. VI., and died circ. the following year, 1554, leaving by Catherine, daughter of Henry, earl of Cumberland,

¶ Dug. Bar., vol. i., p. 657.

Henry le Scrope his son and heir, who had summons from the 2 Philip and Mary to the 31 queen Elizabeth, and died circ. the 34 of the same reign. He was twice married, first to Margaret, daughter of Henry Howard, earl of Surrey,¶ by whom he had Thomas and Henry, s.p.; and secondly, to Alianor, daughter of Edward lord North, and by her had a daughter Mary, who wedded William Bowes of Stretham, in the county of Durham; but Sir Harris Nicolas calls her the first wife,** as does an Harleian MS.††

** Synopsis vol. i. p. 22, Addend.
†† No. 1160.

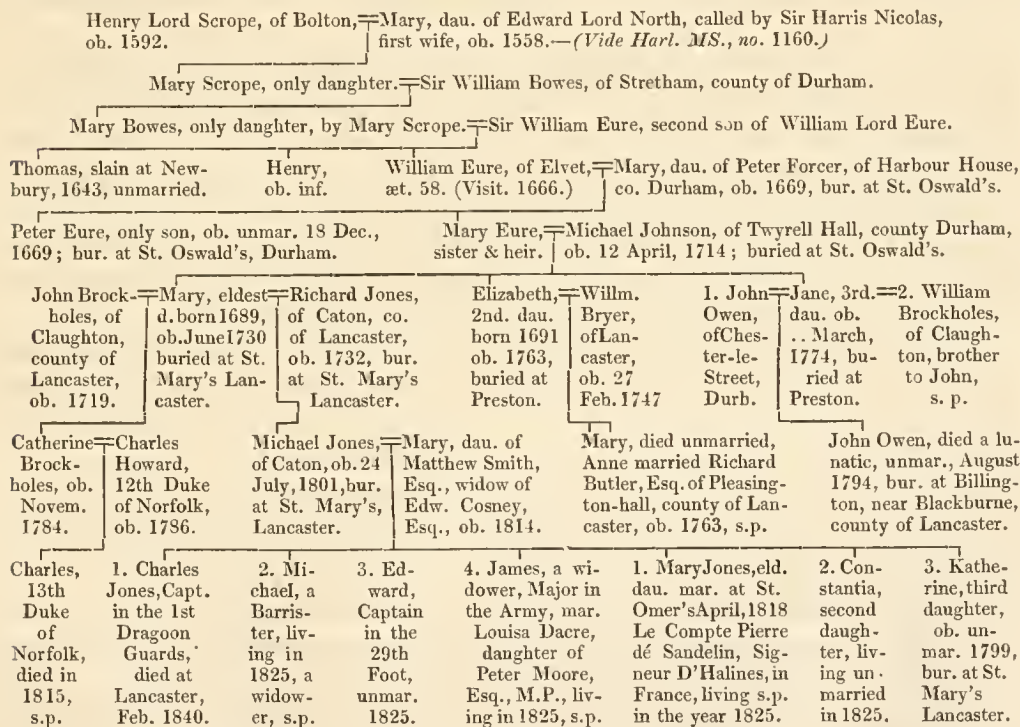
^a Dugdale only notices this Joane, and Anne as a second wife, but she was his third wife, and his widow, s.p. His second was, as stated by Hunter in his Deanery of Doncaster (vol. i., p. 92), Elizabeth, daughter of Sir Oliver St. John, relict of John lord Zouche. He died 12 July, 1494, and as desired by his will, dated in that year, was buried in the Black Friars church at Thetford.

^b Leland (vol. viii., p. 65), mentions Henry Scrope, the fourth, and his wife, daughter to the lord Scrope of Upsal, and his second wife, daughter to the lord Dacre and Greystoke. This Henry had no issue by his first wife, but he had the lord Scrope, that is now, by his second wife. This statement makes her the wife of his son, and not of him.

Thomas, his eldest son, the next baron, had summons to parliament from the 35 Elizabeth to the 8 James I., inclusive, and died about two years after, 1612, leaving issue

Emanuel Scrope his son and heir, who having had summons from the 12 James I. to the 1 Charles I., (1625) was in 1627 created earl of Sunderland. He married Elizabeth, daughter of John Manners, earl of Rutland, but had no issue by her, and dying circ. 1631, s.p.l., the earldom became extinct; but the barony of Scrope of Bolton devolved, as it is considered, upon the heir representative of Mary the wife of William Bowes, before mentioned.

The earl had three natural daughters, of which, Mary married, first, Henry, second son of Henry Carey, earl of Monmouth; and secondly, Charles, marquess of Winchester, who thereby acquired the estate of Bolton, and was afterwards created duke of Bolton.^a Annabella married John Grubham Howe, esq., ancestor of the late earl Howe; and Elizabeth married Thomas Savage, earl Rivers. These ladies were afterwards legitimated, and had the rank of earl's daughters given to them: the power of prerogative superseding the law of the church, and rendering bastardy more an honour than a disgrace.



^a It is not a little curious that as the estate of Bolton, with the assumption of title, came into the Paulet family by a *bastard*, so they similarly went out of it by *another*, to the family of Orde.

SCROPE OF MASHAM.—(16 EDW. III.)

* Vol. viii.,
p. 54.

GEFFERY LE SCROPE, the founder of this family, was, according to Leland,* brother to Henry lord Scrope of Bolton; but Dugdale does not so mention, only stating he was of the same family. That he was contemporary appears from both of them being inserted in the same writs by which they were frequently summoned ex officio among the king's justices. The 17 Edw. II. he was chief-justice of the King's Bench, though afterwards removed; but was again appointed the 3 Edw. III.,† in which year he had summons among the earls and barons to a great council to be holden at Windsor;‡ but thereafter was only summoned along with the king's justices. In the 2 Edw. III. he had a charter for free warren in all his demesne lands at Masham, and elsewhere in the county of York;§ and according to Dugdale was advanced to the dignity of a *banneret*, with two hundred marks per annum for the support of that honour.^a He died the 13 Edw. III., leaving by Rametta or Ivetta his wife, daughter of William de Ross of Igmanthorpe,

† Chron. Jur.

‡ Dugd. Lists
of Summ.

§ Cart., n. 17.

|| Vide Athol.

Henry le Scrope his son and heir, and a younger son John, who married Elizabeth, daughter and coheir of David de Strabolgi, earl of Athol.|| This Henry had summons to parliament from the 16 Edw. III. to the 15 Richard II., in which year he deceased, leaving Stephen his son and heir, aged forty; which

¶ Dugd. Lists
of Summ.

Stephen le Scrope had summons to parliament the 16 Richard II., as "*Stephen le Scrope, de Masham*," and from thence by the same designation to the 7 Hen. IV. inclusive,¶ in which year he died, leaving by Margery his wife, daughter of John lord Welles, and widow of John de Huntingfield, several sons; whereof

** Rapin,
Smollet, &c.

Henry, the eldest, was his successor, and had summons from the 8 Hen. IV. to the 2 Hen. V., as lord Scrope de Masham; but being implicated in the conspiracy of the earl of Cambridge and others, to take away the life of that king, and being found guilty, he was beheaded,** and his barony forfeited:^b dying s.p., his brother

^a In the Camois case lately before the House of Lords, this dignity of a *Banneret* was much canvassed as to its import; whether an hereditary honour or merely personal; and whether implying a baronial creation, as contended ex parte the claimants.

^b In Prynne's abridgement of the Tower Records (p. 569) it is said by the duke of Exeter that the king (Hen. V.) did much repent taking away the lands of the lord Scrope, on the attainder of the last lord, as they were entailed to his brothers Geffery, Stephen, and John le Scrope; and that the lord Fitz-Hugh and William Porter, to whom they were given, were contented to restore them on proof of the entail. His first wife was Philippa, daughter of Sir Guy de Bryan, knight, who died s.p., and was buried in Scrope chapel, York Minster. His second was Joan, sister and coheir to Edmund Holland, earl of Kent, relict of Edward, duke of York, and of William lord Willoughby also, s.p.

Stephen le Scrope became his next heir. He was arch-deacon of Richmond, and dying about the 2 Hen. VI., his brother and heir John, had livery of his lands;* which

* Vide Rot. Parl., vol. v., p. 43.

John le Scrope wrote himself of Masham and Upsall, where he had two eminent seats, and had summons to parliament from the 4 to the 33 Hen. VI. inclusive, as "*Johanni le Scrope, de Masham*," and died the year following, leaving Thomas his surviving son, his successor; Henry, the eldest, having died young,† and John, the second son, having predeceased him, s.p.; which

† Inscript. Scrope Chap. York Minster.

Thomas le Scrope had summons from the 38 Hen. VI. to the 12 Edw. IV. by the same designation as his father, and died about the fifteenth of the same reign, having had issue by Elizabeth his wife, daughter of Ralph lord Greystoke, four sons, Thomas, Henry, Ralph, and Geffery, and three daughters, hereafter mentioned.

Thomas le Scrope, the eldest son, had summons from the 22 Edw. IV. to the 7 Hen. VII., as lord Scrope de Masham, and died shortly after, about the 9 Hen. VII.—He married Elizabeth, one of the daughters and coheirs of John Neville, marquess of Montague,‡ and had issue an only daughter Alice, who married Henry lord Scrope, of Bolton, whereby the barony of Scrope of Masham, descended upon her,^a but she dying s.p.s.,§ it reverted again upon her uncle and heir,

‡ Vide Montague.

Henry le Scrope, who had summons to parliament the 3 Hen. VIII., as "*Henrico Scrope de Scrope et Upsall, Ch'lr*." He died soon after, s.p., and was succeeded by his brother and heir,

§ Note per T. C. Brooke, no. 8.

Ralph le Scrope, who is said by Dugdale|| to have been summoned to parliament the 6 Hen. VIII., but his name does not appear in the writ for that year, though it is inserted in the index to his writs of summons. In the writ of the 7 Hen. VIII., there is named *Richard le Scrope, Ch'lr*" which not improbably may be an error, and meant for *Ralph*; there not being at that time any *Richard Scrope of Bolton*, existing. This Ralph also died s.p.; his will is dated 10 August 1515; proved the 18th of March following, wherein he mentions *Johanna* his wife, and Geffery Scroope, Clerk, his brother and heir, which

|| Bar., v. i., p. 661.

Geffery le Scrope was his successor, but never had summons to parliament, and dying s.p., 9 Hen. VIII., his three sisters, or their representatives became his coheirs, and the barony fell into abeyance between them. Of these sisters,^b

^a In a note by the late Mr. Francis Townsbend, Windsor Herald, she is said to have had two daughters, Mary and Elizabeth; the first died before her mother, who died in the birth of her second, which died shortly after.

This Alice was probably not his daughter by Elizabeth Neville, but by a former wife Alice, daughter of Sir Walter Wrottesley, knight, and was so named after her mother. This wife is not noticed by Dugdale.—(*Vide Collins's Baronetage in Wrottesley Family.*)

^b Leland (vol. iv., p. 3), says of these, that one married Strangeways, of Harlescy; another Danby; the third, Strelly, of Nottingham, of whom came two daughters, whereof one married Bingham, the other Wyvell, who by her had the house or estate at Clifton.

Alice married Thomas Strangeways, esq. Mary married Sir Christopher Danby, knight, of Farnley, in the county of York, who had issue a son Sir Christopher, who married Elizabeth, daughter of Richard Nevill lord Latimer, and had Sir Thomas Danby, and five other sons, and eight daughters, who all married :* which Sir Thomas was great-grandfather to Thomas Danby, first mayor of Leeds, who by Margaret his wife, daughter and coheir of Colonel William Eure, second son of William lord Eure, and coheir to her cousin Ralph lord Eure, had issue two sons, Thomas, who died young, and Christopher, slain at Watless Moor; as also a daughter Mary, baptized May 2, 1661. Christopher Danby, brother to Thomas the mayor of Leeds, and also great-grandson of Sir Thomas and Elizabeth Nevill, was father of Sir Abstrupus Danby, whose son Abstrupus was living in 1712, whose heir general in 1829, was presumed to be the countess of Harcourt, then wife of William the last earl Harcourt.

* Thoresby's
Leeds, p. 202.

Elizabeth Scrope, the third sister and coheiress married Sir Ralph Fitz Randolph, of Spenithorne, in the county of York, knight, who had a son John, s.p., and five daughters, whereof Elizabeth married Hugh Strelly, of the county of Nottingham. Alice married Charles Dransfield, esq., and had a son Ralph, who died s.p., and four daughters, of which Isabel married John Swale, of Swinton; Elizabeth, ——— Warcop, of Sandall; Anne, Francis Percy of Scotton;^a and Dorothy wedded John Forster, of Leyburn.— Mary Fitz Randolph married Ralph Batty, s.p.; Dorothy married Lancelot Ashe, and had issue; and Agnes the fifth daughter was the wife of Marmaduke Wyvell, of Little Burton, esq., and had issue Christopher, who married Margaret, daughter of John, a younger son of Henry lord Scrope, of Bolton, by Elizabeth, daughter of Henry, earl of Northumberland, which Christopher was father of Sir Marmaduke Wyvell, the first baronet, whose wife Magdalen was a daughter of Sir Christopher Danby, of Thorpe Park, in the county of York, knight, by which lady he had six sons, and two daughters.†

† Monum.
Inscrip. apud
Masham.

Thus the coheirs to this barony are of very extended ramification.

SEGRAVE.—(23 EDW. I. AND 49 HEN. III.)

GILBERT DE SEGRAVE was lord of Segrave, the 12 Hen. II., whose great-grandson

Nicholas de Segrave, taking part with Simon de Montfort, and the confederate barons, was by the citizens of London, constituted their general, and commanded their troops at the battle of Lewes, where the royal army was defeated, and the king himself, and prince Edward his son, taken prisoners; after which, the barons calling a parliament in the king's name, he was one of those eminent men summoned thereto, the 49 Hen. III.‡ But at the battle of Evesham, so fatal to the barons, he was wounded, and taken

‡ Dugd. Lists
of Summ.

^a This family of Percy was seated at Scotton from a very early period, and is supposed to be descended from that ancient house before the marriage of the heir female with Josceline of Lovaine. He had issue.

prisoner: however, he was afterwards admitted to take the benefit of the Dictum de Kenilworth; and became so much in favour as to obtain a free pardon, and to be summoned to parliament the 23 Edw. I.;*^a in which year he died, leaving by Matilda de Luey, his wife, (whose name is not mentioned by Dugdale,) five sons, viz: John, Nicholas, Geffery, Peter, and Gilbert: whereof, the eldest,

* Dug. Lists of Sum.

John de Segrave was the next baron; and had summons to parliament from the 24 Edw. I. to the 18 Edw. II., and was summoned to the coronation of that king.†^b He died circ. 18 Edw. II., having had issue by Christian de Plesssets, his wife, a son Stephen, and four daughters, Eleanora Kiriell, Margareta, Alicia, and Christiana de Moune.‡ The said Stephen died before his father, having married Alicia de Arundel, and had issue a son Edmund who died young, and

† Coron. Rot. I Edw. II.

‡ Ex. MS. pen. Dom. Will. Howard de Naworth.

John de Segrave successor to his grandfather Nicholas. He had summons from the 10 to the 25 Edw. III., and died circ. the 27 of the same reign, leaving by Margaret his wife, daughter and coheir of Thomas de Brotherton, earl of Norfolk, (eldest son of king Edward I., by his second wife, Margaret,) an only daughter and heir Elizabeth,^c who married John, baron de Mowbray, and had issue John, earl of Nottingham; and Thomas, his brother, afterwards created duke of Norfolk;§ in whose coheirs general (as noticed under the article of Mowbray) the barony remains in abeyance, viz: the earl of Berkeley, and the lords Stourton and Petre.

§ Vide Mowbray.

NICHOLAS SEGRAVE.—(23 EDW. I.)

THIS Nicholas was the second son of the before named Nicholas, and was of Barton Segrave, in the county of Northampton, which he had by the gift of Nicholas his father, in whose lifetime he was also summoned to parliament the 23 Edw. I., by the distinction of *Nicholas de Segrave, Junior*, as his father was by that of *Nicholas de Segrave, Senior*. He was afterwards summoned from the said year to the 14 Edw. II., and to the coronation of that king, as was his brother John.|| In the 29 Edw. I. he was one of the barons who in the parliament at Lincoln subscribed the letter to the pope, being then written

|| Coron. Rot. I Edw. II.

^a From the Rolls of Parliament it appears that in the 18 Edw. I., in a parliament then holden, the summons whereto is not upon record, he was one of those appointed to treat of the affairs of Scotland; but this record has been refused as evidence of a sitting by the house of Lords, on the ground that it was not written on the Clause Roll but tacked thereto, and in a different handwriting from the Roll.—(*Vide Botetourt claim, coram Dom. Proc.*)

^b He was one of the barons who in the parliament at Lincoln, (23 Edw. I.) subscribed the letter to the pope, being designated "*Johannes Dominus de Segrave.*"

^c He had a son John, who married Blanch, a daughter of John, Lord Mowbray, whose son John married the said Elizabeth Segrave, who by the death of her brother John s.p., became the sole heiress of her father.—(*Ex. MS. pen. Dom. Will. de Howard de Naworth.*)

“*Nicholaus de Segrave Dominus de Stowe.*” He died circ. 15 Edw. II., without male issue, leaving Maud his daughter and heir married to Edmund de Bohun, in whose representatives (if any) the barony may be considered now vested.

* Rot. Pat. 5 Ric. II., pars. 2, m. 11.

† Ibid 4 Ric. II., pars. 3, m. 19.

‡ Rot. Parl. v. iii., p. 4.

Of this name was Hugh de Segrave, to whom king Richard II.* granted in fee the manor of Overhall, with its appurtenances in Liston, in the county of Essex, to hold by the service of making wafers, and serving the king therewith on the day of his coronation. The said Hugh was treasurer of the exchequer;† and in the 1 Ric. II. is mentioned to have been *a trier of petitions*, with divers earls and others,‡ though his name does not appear in any writ of summons to have been called to parliament; his presence must be presumed to have been *ex officio*.

SOMERI.—(1 EDW. II.)

JOHN DE SOMERI, in the time of Henry II., having married Hawyse, sister and heir of Gervase Paganel, lord of Dudley, in the county of Stafford, thereby acquired that barony; and was succeeded therein by Ralph de Somerie, his son and heir: from whom descended

John de Someri, who had summons to parliament from the 1 to the 15 Edw. II., as *Johanni de Somery*, but without any allusion to the title of *Baron de Dudley*, though it may be presumed that it was the possession of the lands of Dudley, which caused him to be summoned; yet as the writ was merely personal, the name of his barony appears rather to be more appropriately, *Someri*, than *Dudley*. He died circ. 15 Edw. II., leaving Margaret, wife of John de Sutton, and Joane, wife of Thomas de Botetourt, his sisters and coheirs, and Lucia his wife surviving. On partition of the inheritance the castle of Dudley was assigned, together with the town of Dudley, and other considerable lands, to Margaret the wife of Sutton, whose son and heir John de Sutton was afterwards

§ Vide Sutton. summoned to parliament, as under the article of Sutton will be hereafter noticed. §

Edmondson in his *Baronagium* asserts that these coheirs were *daughters* and *not sisters* to John de Someri; yet the Escheat Rolls prove they *were sisters* and *not daughters*; in which instance the barony under the writs of summons of Edw. II. became extinct, and did not continue as Edmondson would infer.

SOMERVILLE.—(1 EDW. III.)

SIR WALTER DE SOMERVILLE, the founder of this family, according to Dugdale, was a Norman; and coming over with the conqueror, had by his gift the lordship of Whichnovre, in the county of Stafford. From him, after a long lapse of time, descended

Robert de Somerville, who married Isabel, one of the daughters and coheirs of Roger de Merley,^a a great feudal baron, lord of Morpeth, in the county of Northumberland, and had issue five sons, viz: Robert, Roger, John, who died in the same year with his father the 11 September, 1297,* Adam, and Philip, and a daughter Isabel who died 15 February, 1304.† Of these sons, who all died without issue male,

* Wallis's Northumb., vol. ii., p. 291.
† Ibid.

Roger and Philip de Somerville were summoned among divers earls and barons to attend, *equis et armis*, a great council to be holden at Newcastle-upon-Tyne, the 1 Edw. III.;‡ but their names are not included in any of the writs of summons to parliament either to Lincoln or York of the same year, nor are they mentioned in any subsequent writs of summons.

‡ Dug. Lists of Sum.

Roger de Somerville died the 10 Edw. III., leaving Philip his brother and heir; but Agnes the wife of Roger surviving, and being then pregnant, livery to Philip was temporally suspended.§

§ Orig. 11 Edw. III., Rot. 6, Ebor.

Philip de Somerville died 29 Edw. III. s.p.m., when Rhese Ap Griffith, husband to Joan, and John Stafford, husband to Maud, daughters and coheirs of Philip de Somerville, had livery of his lands.||^b

|| Orig. 29 Edw. III., Rot. 3, Northumberland.

From the said Rhese Ap Griffith descended Sir Rhese Ap Griffith, whose sister and heiress Frances married Sir Matthew Boynton, the first baronet, who thereby obtained Burton-Agnes, in the county of York, the present seat of the Boynton family, which was first acquired by the marriage of Robert de Somerville with the coheiress of Merley, and by the Merleys, similarly by marriage with Alice, daughter and coheir of Robert de Stuteville, lord of Burton-Agnes, son of Osmund, second son of Robert de Stuteville, baron of Cottingham.

Sir Matthew Boynton, by Frances Ap Griffith his wife, had issue Francis his son and heir, the second baronet, whose grandson,

Sir Griffith Boynton dying s.p., his sister Constance would have been his heir; but she died in his lifetime, having married Richard Kershaw, D.D., Rector of Ripley, in the county of York, whose issue, if any,^c would now be the heir general of the families of Ap Griffith and of Somerville. He was succeeded in the baronetcy by his cousin Francis, son of his uncle Henry Boynton, from whom is descended the present baronet.

^a *Rot. Pat.* 3 *Edw. I.*, m. 25.—*Maria uxor Will'i filii Thomæ de Greistock primogenita, et Isabella uxor Roberti de Somervill, altera filiarum et hæred' Rogeri de Merlay.* But Wallis (p. 291) citing a very ancient autograph, says her name was *Johanna*, wife of Robert de Somerville.

^b In Glover's Visitation of the county of Chester, A.D. 1580, he gives four daughters of Philip de Somerville, viz., Joane wife of Rhese Ap Griffith; ——— wife of Robert Willoughby; Matilda wife of ——— Inteny; and Elizabeth wife of John Stafford.

^c She died in 1705, having had issue three sons, viz: Boynton, died an infant; William s.p.; John, died an infant; and a daughter Elizabeth.—(*Thoresby's Ducatus Leodiensis*, p. 22.) Dr. Kersbaw remarried Rebecca Sykes, and had issue, and died in 1736.

Mr. Betham and Playfair, with the genuine spirit of bombast and genealogical flattery, represent this family to be descended through the Ap Griffith alliance, from a race of kings, princes, dukes, &c., both before and after the conquest; yet they have omitted the name of king Solomon, who having several hundred wives and concubines, and he so famous for his wisdom, a descent from him would have much added to the heraldic glory of the family. The calamity of the great flood may be presumed to have destroyed the evidence of descent from Adam, the sole and first monarch of the earth, or those proficient gentlemen would doubtless have referred to him as a rare instance of family lineage and antiquity.

ST. AMAND.—(28 Edw. I.)

RALPH DE ST. AMAND, who lived in the time of Henry III., married Asceline, sister and coheir to Robert de Albini, baron of Cainho, in the county of Bedford, and was grandfather to

Almaric de St. Amand, who had summons to parliament from the 28 Edw. I. to the 4 Edw. II., to whose coronation he was also summoned.* In the 29 Edw. I., he was one who in the parliament at Lincoln subscribed the letter to the pope, being then

* Coron. Rot.
1 Edw. II.

† Dugd. Lists.
of Summ.

† Esch. 4 Edw.
II., n. 42.

written,† “*Almericus de S. Amando Dominus de Wydehay.*” He died circ. 3 Edw. II.,‡ s.p., when his barony became extinct, and

John de St. Amand, his brother and heir, who by writ addressed “*Johanni de S. Amando,*” had summons from the 6 to the 19 Edw. II. inclusive, shortly after which he died, leaving

Almeric de St. Amand, his son and heir, who does not appear to have been summoned till the 44 Edw. III.; but it may be observed, that he was much engaged in the wars of France and Scotland, and was for some time justice in Ireland. He was summoned from the 44 Edw. III. to the 5 Ric. II., in which year he is said to have died, when he was succeeded by

Almeric, his son and heir, who had summons from the 6 Ric. II. to the 3 Hen. IV. inclusive, and died the year following,§ leaving Gerard Braybroke, son of Alianor, his only daughter by Ida his first wife, and Ida, his daughter by Alianor his second ^a wife, his coheirs; which Ida afterwards married Sir Thomas West, but by him had not any issue, whereby the inheritance vested in abeyance eventually in the three daughters and coheirs of Alianor de Braybroke; of these, Elizabeth married William de Beauchamp, grandson of John de Beauchamp, of Powyk; Maud wedded John Babington, and died s.p.; as did Alianor Braybroke, the third daughter.

§ Esch. n. 40.

^a She was heiress of the family of St. Elen.—(*Lyson's Mag. Brit.*, vol. i., p. 228.)

BEAUCHAMP LORD ST. AMAND.—(27 HEN. VI.)

WILLIAM DE BEAUCHAMP, having thus in right of his wife, Elizabeth Braybroke, become ultimately sole heir to the barony of St. Amand, was by writ summoned to parliament from the 27 to the 33 Hen.^a VI. inclusive,* as "*Willielmo Beauchamp Domino de S. Amando*;" shortly after which he died, the 35 Henry VI.,^b leaving Elizabeth, his wife, surviving, who is said to have remarried Roger Tuchet, and

Richard de Beauchamp, his son and heir, aged 4. In the 1 of Ric. III., he was attainted and his honors thereby forfeited, but he was fully restored the 1 Hen. VII., and had summons to parliament by the same description as his father, in the 12 Hen. VII., after when he does not appear to have been again summoned. He died in 1508, without legitimate issue; when the barony of St. Amand is presumed to have become vested in the descendants, if any, of Isabella, sister of Almaric, the second of his name, baron St. Amand, which Isabella married, first, Richard de Handlo; and secondly, Robert de Ildesle.†

Sir Harris Nicolas in a note in his Synopsis, remarks,‡ that in the will of this Richard lord St. Amand, he leaves a cup to his *neice Leverseye*, which was probably meant for his wife's niece, as if a daughter of *his own sister*, she would have been in the course of succession to the barony. The name of his wife was Anne,§ daughter of Sir Walter Wrottesley, knight. She had two sisters named in Collins's Baronetage, but the name of *Leverseye* does not appear among the issue of either of them, or of either of her brothers.

The family of Baynton, of Bromham, in the county of Wilts, became the heir ex parte paternâ of the Beauchamps, which intimates a failure of descendants of the blood of St. Amand.||

ST. JOHN OF BASING.—(28 EDW. I.)

THE paternal name of this family was *Port*; but Adam, (great-grandson of Hugh de Port, who at the time of the general survey held fifty-five knights' fees in the county of Southampton, where Basing was the head of his barony), having married Mabel, daughter of Reginald de Aurevalle, by Muriel, daughter and heir of Roger de St. John (of Stanton), by Cecily his wife, daughter of Robert de Haya, lord of Halnac, in Sussex. His son and heir,

^a *Vide Pat. Rot. 29 Hen. VI. m. 8.*—"Will'us Beauchamp Miles D'nus de St. Amando."

^b Dugdale in the Index to his Writs of Summons, recites the name of *William de Beauchamp, de St. Amand*, in the 38 Hen. VI., and the 1, 2, 6, 9, and 12 Edw. IV. But the name of William de Beauchamp is not contained in any one writ of those years.

* Dugd. Lists of Summ.

† Nicolas's Synopsis, v.ii., p. 558.

‡ Ibid.

§ Brooke ou Camd. err., p. 26.

|| Vide Bank's Dorm. & Ext. Baron. vol.ii., p. 508.

William de Port assumed the surname of St. John, writing himself, "*Willielmus de Sancto Johanne filius et hæres Adæ de Port*," and the 15 king John gave five hundred marks to the king for livery of the lands of Adam de Port his father.

Robert, his son and heir, died circ. 51 Hen. III., leaving by Agnes his wife, daughter of William de Cantilupe,

John de St. John his son and heir, who was an eminent soldier in his day, and distinguished in the wars of France and Scotland; he was an ambassador to France, and died circ. 30 Edw. I., leaving by Alice, daughter of Reginald Fitz Piers, John his son and heir; and according to Collins, William his second son, ancestor to the viscounts Bolingbroke, and barons St. John, of Bletshoe.

John de St. John, the eldest son, in the lifetime of his father, had summons the 26 Edw. I. to Carlisle, *equis et armis*, in which writ he is styled *a baron*, and as "*Johan' de Seint John le fuis*;" the earls and barons in that writ being all distinguished by their respective ranks.* In the 28 Edw. I. he had summons to parliament as "*Jo' de Sancto Johanne, juniori*,"† his father being then still living. In the 29 Edw. I. he was one of those who in the parliament at Lincoln subscribed and affixed their seals to the famous letter to the pope, by the designation of "*Johannes de S. Johanne Dominus de Hanak*,"‡ but after this time, from the 32 Edw. I., his father being dead, he was only summoned by the name of "*Johannes de Sancto Johanne*," but from the 15 to the 19 Edw. II. with the addition of De Basing. Dugdale states that he died the 12 Edw. II., which appears an error from the writs of summons addressed to him, for so many as eight years after that date, viz., to the 20 Edw. II. inclusive,§ he most probably deceased circ. 3 Edw. III., leaving by Isabel, his wife, daughter of Hugh de Courtney,

Hugh de St. John, his son and heir, aged 26, who never had summons, and died circ. 11 Edw. III., leaving Mirabel, his wife, surviving; and Edmund, his son and heir; as also two daughters, viz., Margaret and Isabel; which

Edmund de St. John was then only four years of age, and died in his minority, and in ward to the king, the 21 Edw. III., s.p.,|| leaving his two sisters, before mentioned, his coheirs, whereof

Margaret St. John married John St. Philibert,¶ and had a son John, who died s.p.; and Isabel married, first, to Henry de Burghersh, s.p.; and secondly, Lucas de Poynings, who eventually became sole heir to the barony,** in right of Isabel his wife, and having issue by her, and doing his homage, had livery of all the lands so descended.*†

* Dug. Lists of Sum.
† Ibid.

‡ Ibid.

§ Ibid.

|| Orig. 21 Edw. III., Rot. 21.

¶ Vide St. Philibert.

** Vide Poynings.

*† Dug. Bar.

^a His name does not appear in the writ of summons, tested the 26th of September, to the parliament at Lincoln, though it is mentioned in the previous one, tested 29 December, 28 Edw. I., to the parliament at London, which leaves it to be considered whether it was not his father who subscribed the letter as *Dominus de Halnac*, and was then alive.

Mr. Berry in his *Sussex Genealogies*,* has given a third sister Alice, married to John Kingstone, by whom she had a son Thomas Kingstone. * p. 61.

There was a Roger de St. John, who with his consort, had summons to the coronation of Edw. II.;† but his name is unnoticed by Dugdale, nor is it recited in any pedigrees of the family. He probably was the eldest son of the baron, and had summons in that character, and might die vitâ patris, s.p., as the baron lived to the 20 Edw. II. This may account for his name being passed over by Dugdale. † Vide Copy of Coron. Rot. in vol. ii.

ROGER DE ST. JOHN.—(49 HEN. III.)

BESIDES the family of St. John of Basing, Dugdale states‡ there was another of that name seated in the county of Oxford, but he does not intimate how far the one was connected or related with the other; and his account is altogether much confused; but Mr. Collins in his peerage of the viscount Bolingbroke, asserts that Roger de St. John, who married Cecily de Haya, (as noticed under St. John of Basing) was brother to Thomas de St. John, lord of Stanton St. John, in the county of Oxford. From which Thomas descended ‡ Baron., v. i., p. 539.

Roger de St. John, who was one of the barons in arms with Simon de Montfort and the other confederate lords, and was summoned to that parliament called by them in the king's name the 49 Hen. III.§ He was afterwards slain in the battle of Evesham. He married one of the sisters of Richard de Lucie of Egremont, and had issue a son John, with whom Dugdale closes his account of this family, by reason he says,|| *"I do not find any of this line summoned to parliament;"* yet in the second volume of his *Baronage*¶ he deduces the family of *St. John of Lageham*, from the very same line as hereafter mentioned. § Dugd. Lists of Summ. || Baron. v. i., p. 539. ¶ Ibid vol. ii., p. 9.

ST. JOHN OF LAGEHAM.—(25 EDW. I.)

ROGER DE ST. JOHN, (before mentioned), obtained from Richard de Lucie, with the marriage of Lucy his sister, a moiety of the lordship of Wolenestede, in the county of Surrey;** and the 46 Hen. III. had a licence to fortify his house of Lageham in that county, near Wolenestede.*† ** Ibid vol. i., p. 539. *† Vol. ii., p. 9.

John de St. John, his son and successor, in the 24 Edw. I. had summons to New-castle-upon-Tyne equis et armis, and to a great council to be there holden,*‡ as *"Johanni de Sancto Johanne de Lageham,"* and the next year, 25 Edw. I., he had summons to a parliament at Sarum, by the same description;*§ also similarly the 28 Edw. I. to a parlia- *‡ Dugd. Lists of Summ. *§ Ibid.

ment at London, and to the parliament at Lincoln; but his name does not appear among those who in that parliament subscribed the letter to the pope. By the same denomination he continued to be summoned to the 35 Edw. I., inclusive. In the 1 Edw. II. he is named *Johanni de Sancto Johanne*, without the distinction of Lageham; but after then his name is not included in any writ of summons till the 6 Edw. II., when it again is mentioned with the addition of *de Lageham*,^a and so continued till his death, circ. 10 Edw. II., being then seised of Lageham and of the manor of Stanton, (otherwise called Stanton St. John), in the county of Oxford. His son and heir,

John de St. John, had summons from the 11 to the 16 Edw. II. with the addition of *de Lageham*,* and died in that year, leaving

John de St. John his son and heir, who was summoned the 1, 2, 4, and 5 Edw. III., but without the distinction of *de Lageham*.† He married Catherine, daughter of Geffery de Say, and died circ. 23 Edw. III., being then seised of Lageham, in the county of Surrey, and of Staunton St. John, in the county of Oxford, leaving

Roger de St. John his son and heir, who was never summoned, and died the 27 Edw. III., s.p., having released to Sir Nicholas de Lovaine, knight, and Margaret his wife,‡ all his right in the manor of Lageham. Peter de St. John, being (according to Dugdale) his kinsman and heir, aged forty; which Peter, by the following pedigree appears to have been his uncle.

Roger de St. John, had Lageham, by gift of Richard de Lucie, slain at Evesham. —Lucy, sister to Richard de Lucie.

John de St. John, ob. 10 Edw. II.—(*Esch. n. 73-4, John, son and heir, ætat. 30.*) —.....

John de St. John, ob. 23 April, 16 Edw. II. —Margery, survived and remarried John de —(*Esch. n. 12, John, son and heir, æt. 15.*) | Ifield, ob. 20 Edw. III.—(*Esch. n. 35.*)

John de St. John, ob. 23 Edw. III.—(*Claus.* —Catherine, daughter of Lord Say. Peter de St. John, uncle and heir to Roger.—*n. 163, pars. 2, Roger, son and heir, æt. 20.* | *Vide Manning and Bray's Surry, vol. ii. p. 825.*

Roger de St. John, ob. 28 March, 27 Edw. III.—(*Esch. n. 27, s.p.*)

ST. MAUR.—(8 EDW. II.)

NICHOLAS, son and heir of Lawrence de St. Maur, of Rode, in the county of Somerset, had summons to parliament the 8 and 9 Edw. II., and died the next year, leaving by Eve de Meysy his first wife, a son Thomas, and by Helen, daughter and coheir of Adam le Zouche, of Asheby, his second wife, (who survived him) a son Nicholas.

^a In the writ of the 1 Edw. II. two names of *John de St. John* are mentioned, which purport to apply to St. John of Basing, and to this St. John of Lageham; but in the subsequent writs to the 6 of Edw. II., only one is noticed, which leaves it doubtful to which of the two it appertained.

Thomas de St. Maur was never summoned to parliament, and died s.p., but his half brother,

Nicholas de St. Maur, had summons from the 25 to the 34 Edw. III., inclusive, as "*Nicholas de St. Mauro*," and died the following year, leaving by Muriel his wife, granddaughter and heiress of Richard lord Lovel, of Kari,* two sons, Nicholas and Richard. * Vide Lovel.

Nicholas de St. Maur, the eldest, dying in his minority, s.p., was succeeded by his brother,

Richard de St. Maur, who was summoned from the 4 Richard II. to the 2 Hen. IV., as "*Ricardo Seymour*," and died the next year, when

Richard de St. Maur, his son and heir, became the next baron, and had summons from the 3 to the 8 Hen. IV., similarly named as his father. He died the 10 Hen. IV., leaving his wife Mary then pregnant, who was afterwards delivered of a daughter, named Alice, who became the wife of William, the fifth lord Zouch, of Haryngworth; and being his only child and heiress, carried the barony of St. Maur into the Zouche succession, with which it continued blended till the death of Edward, the twelfth lord Zouche, of Haryngworth, in 1625, when they both fell into abeyance between his two daughters and coheirresses, Elizabeth and Mary, as under that article will be found detailed.†

† Vide Zouche of Haryngworth.

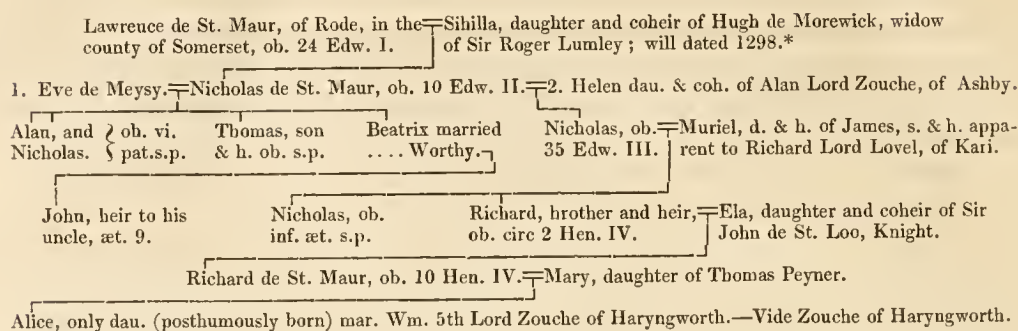
WILLIAM DE ST. MAUR.—(11 EDW. II.)

WILLIAM DE ST. MAUR, by the designation of "*De Sancto Mauro*," had summons to parliament the 11, 12, 14, and 15 Edw. II.,‡ but no more, nor does Dugdale in his Baronage make any mention of him. ‡ Dugd. Lists. of Samm.

From the circumstance of his first writ of summons being so immediately after the death of the first Nicholas, the 10 Edw. II., it would almost infer that he was his son and successor, and the elder brother of Nicholas, who was not summoned till the 25 Edw. III., and that the said William and Nicholas were both the sons of the said first Nicholas, by his second wife Helen, daughter and coheir of Alan lord Zouche, of Asheby.—Dugdale when uncertain, not unfrequently, says "*I ghes*." If a ghes, therefore, may be allowed, there appears ground for one in this case.

Collins in his account§ of the baronet family of Long, of Draycote, in the county of Wilts, recites a letter from Sir James Long to a Mr. Panchrinch, dated 16 October, 1688, wherein giving a detail of the descent of his family, he states that "*Roger de Long married the daughter and heir of St. Maur, by whom he had many great manors and lands, some of which I now possess. Her mother was Zouche, a great heiress.*" The family quarters, among others, the St. Maur and Zouche arms. Assuming this statement to § Vol. iii., p. 379.

relate to William de St. Maur, it places the barony in a different point of view to the one ascribed to it hitherto by the heralds.



* In her will she names her son Nicholas St. Maur, and her son Robert Lumley, whom she appoints her executors; and gives the residue of her goods to her four daughters, Sybill, Margery, Joan, and Marion, but does not mention by which husband they were, or by both.

ST. PHILIBERT.—(27 EDW. I.)

HUGH DE ST. PHILIBERT had summons the 27 Edw. I. to a parliament at London, as "*Hugoni de Sancto Philiberto*," but never after. Dugdale does not notice his having been so summoned, though he recites his name in the writ of summons for that year. He only slightly mentions him in his baronage;* adding to which, Hugh succeeded

* Baron. v.ii., p. 150.

John de St. Philibert his son and heir, who, the 7 Edw. II., making proof of his age, and doing his homage, had livery of his lands. He died the 7 Edw. III., never having been summoned, leaving Ada his wife surviving, and

† Vide St. John.

John de St. Philibert his son and heir, who married Margaret, one of the two sisters and coheirs of Edmund de St. John of Basing,† and had partition with her sister Isabel in the lands of that barony. This John de St. Philibert had summons to parliament the 22 and 23 Edw. III., but no more, though he survived many years, not dying till the 33 Edw. III.; when not having any surviving issue, it is presumed the barony became extinct; unless it can be supposed that the writ of summons the 27 Edw. I. (a solitary writ) created a descendable barony in Hugh his father, of whose issue, besides this John, there is no mention.

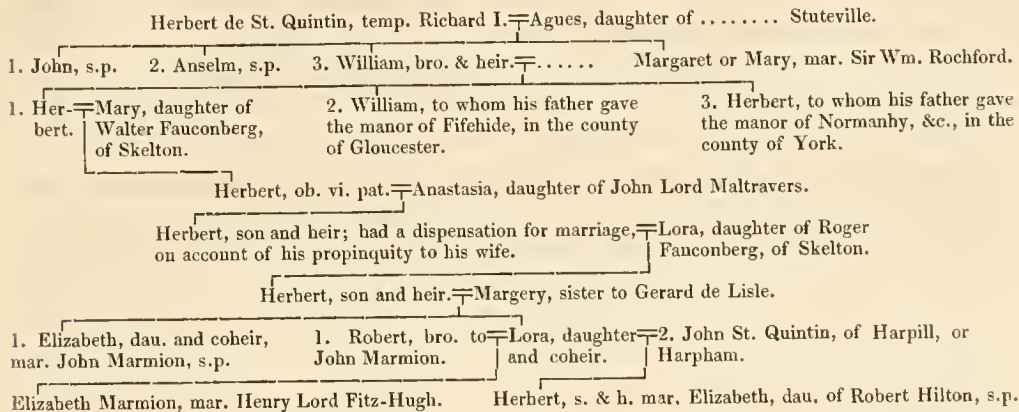
ST. QUINTIN.—(22 EDW. I.)

THIS ancient family is said to have been so named from St. Quintin the capital of Lower Picardy in France, and to have entered England with the Conqueror; but Dugdale has not given it a place in his Baronage, though in his Writs of Summons he has included

Herbert de St. Quintin as summoned to parliament the 22. Edw. I.; but never after, nor any of his descendants, so that it scarcely can be considered any inheritable barony became vested in them; which leaves the assumption of such a title by the earls of Pembroke to be groundless, and without any legal pretension thereto.

The following pedigree was copied from a very ancient record in the Tower of London,* some years ago.

* Per Editor,
20 Feb., 1813.



ST. WALERIE.—(22 EDW. I.)

RICHARD DE ST. WALERIE, by the description of "*Ric' de S. Walereio*," had summons to parliament the 22 Edw. I., but never after. His name is not mentioned by Dugdale in his baronagian account of that family, and only has notice in his Lists of Summons to Parliament; in which respect, who he was, or how descended from, or connected (if at all) with that eminent family, of which Ranulph de St. Walerie† held divers lordships in the county of Lincoln at the time of the general survey, must remain *in nubibus*; but as no inheritable barony can be considered to have been acquired under that solitary writ of summons, it is not material to endeavour to trace his origin, or descendants.

Sir Harris Nicolas, in his Peerage Synopsis,‡ says, he probably was a nephew of Thomas de St. Walerie, who was son of Bernard, son and heir of Reginald de St. Walerie, lord of Haseldine, in the county of Gloucester, living temp. king Stephen, circ. an. 1164.§^a But this supposition time will not warrant, unless it be admitted he was at a very advanced age when summoned to parliament.

^a In a MS. note in an edition of Dugdale (pen. auctore) it is written (in an old hand) that Ranulph de St. Walerie married Maud, daughter of Richard, the third duke of Normandy, and was father to Reginald: but it is to be observed that Dugdale states Reginald to be a son of Guy de St. Walerie, and not to have possessed any of the lands of Ranulph, in the county of Lincoln.

† Dugd. Bar. vol. i., p. 454.

‡ Vol. ii., p. 567.

§ Vide Dugd. Baron, vol. i., p. 454

STAFFORD.—(27 EDW. I.)

ROBERT DE STAFFORD, at the time of the general survey, held very numerous manors; whereof, eighty-one were in Staffordshire; twenty-six in Warwickshire; twenty in Lincolnshire; two in Suffolk; and one in Worcestershire,* a good specimen of the power of the ancient barons. Robert his great-grandson dying s.p., Milicent his sister became his heir, who married Hervey Bagot; and their son Hervey relinquishing his paternal surname, assumed that of his mother, and wrote himself *Hervey de Stafford*. From which Hervey de Stafford, descended

* Dugd. Bar..
vol. i., p. 156.

Edmund de Stafford his great-great-grandson, who, the 26 Edw. I. had summons to Carlisle equis et armis, being designated in the writ *a baron*, by the description of "*Emon' de Estafford*."† In the 27 Edw. I. he had summons to parliament as "*Edmondo Baroni Stafford*;" and from thence to the 1 Edw. II., by the same denomination, as also to the coronation of that king.‡ In the 29 Edw. I. he was one of the barons who subscribed the letter to the pope in the parliament at Lincoln, being then written "*Edmundus Baro Stafford*." He died the 2 Edw. II., leaving by Maud his wife, daughter of Ralph lord Basset, of Drayton,§ Ralph his son and heir, and Richard, who marrying Maud daughter and heir of Richard de Camville, of Clifton, was called Sir Richard Stafford, of Clifton.||

† Dugd. Lists
of Summ.

‡ Coron. Rot.
1 Edw. II.

§ Vide Basset
of Drayton.
|| Vide Stafford
of Clifton.

Ralph de Stafford, son and heir of Edmund, had summons to parliament from the 10 to the 22 Edw. III., as "*Radulpho de Stafford*;" but by another writ in the same year to a parliament at Westminster by the distinction of "*Radulpho Baroni de Stafford*;" and similarly to the 24 Edw. III., when he was created earl of Stafford, and by that title summoned to parliament the 27 Edw. III. He married Margaret, daughter and heir of Hugh de Audley, (baron Audley by writ¶) and *jure uxoris* earl of Gloucester, by Elizabeth his wife, granddaughter of king Edw. I., and dying the 46 Edw. III., was succeeded by

¶ Vide Audley

Hugh de Stafford his then next son and heir, Ralph his eldest son having predeceased him s.p. This Hugh was probably summoned to parliament the 44 Edw. III.,** in the lifetime of his father, though Dugdale does not notice the same, but both names appear in the same writ. He had issue several sons, whereof Ralph the eldest, died before him; Thomas was his successor; William heir to his brother Thomas; Edmund heir to his brother William; and Hugh, who *jure uxoris* became lord Bourchier.*†

** Dug. Lists
of Sum.

*† Vide
Bourchier.

Thomas, third earl of Stafford, died s.p., anno 1392, and was succeeded by his brother William, fourth earl, who also died s.p. shortly after, in 1295, when his next brother Edmund, became the fifth earl. He married Anne Plantagenet, daughter, and eventually heiress, of Thomas, duke of Gloucester, youngest son of king Edw. III. He was slain at the battle of Shrewsbury the 4 Hen. IV., leaving

Humphrey his son and heir, the sixth earl, who, the 23 Hen. VI., was created duke of Buckingham, and the 38 Hen. VI. was slain at the battle of Northampton, on the king's part. Humphrey, his eldest son and heir apparent, (styled earl of Stafford) was slain in his lifetime at the battle of St. Albans. He married Margaret, daughter and coheir of Edmund Beaufort, duke of Somerset, and had issue by her, Henry his son and heir, which

Henry, on the death of his grandfather, succeeded as second duke of Buckingham, though very little notice occurs of him during the reign of Edward IV. He became a prominent actor in raising Richard III. to the throne. However, afterwards being disappointed in his expectations of reward, (as it is said,) he entered into a design, along with others, to dethrone him,—the attempt failed, and he repaired for safety to the house of a person for whom he had been a great benefactor, and in whom as such he confided: but this man in hopes of getting the reward offered by proclamation for his apprehension, basely betrayed him;^a whereupon king Richard ordered him to be beheaded without any arraignment, or legal form of proceeding. He was Shakespear's Buckingham, in his celebrated tragedy of king Richard III., so finely represented on the stage by many eminent actors.

Edward, son and heir to the duke, was restored to all his father's honours by Hen. VII.; but in the reign of Hen. VIII. he fell a sacrifice to Cardinal Wolsey's jealousy and enmity; and to his own indiscretion;* and upon an accusation preferred against him, was arraigned at Westminster, before the duke of Norfolk, then lord high steward for the occasion. The duke pleaded his own cause with great judgment, and elegance of language, showing the falseness of the indictment, and incompetency of the evidence: but he was nevertheless found guilty, and was thereupon beheaded on Tower Hill, 7th May, 1521, (13 Hen. VIII.,) when all his honours, dignities, and great estates became forfeited.^b

* Vide Banks' Dorm. & Ext. Baron., v. ii.

Henry, only son and heir of the unfortunate duke, was, as Dugdale states,† restored in blood the following year (1522); but on reference to the authorized collection of the statutes, it appears, that the said Henry, and Ursula his wife, were merely enabled by letters patent dated 20 Dec., 14 Hen. VIII., (1522,) to take and enjoy to the heirs of their bodies certain very small portions of that great estate which the duke his father had possessed. The 1 Edw. VI., an act passed, whereby it was enacted, "That the said Henry, and the heirs male of his body coming, may be taken, and reputed as lord

† Bar., v. i.

^a This man, whose name was Banister, as well as his father, owed their rise to the duke and his family. He never obtained the bribe of his treachery,—the king justly observing "*That he who could be so untrue to so good a friend, would be false to all other.*" It is said he was afterwards executed for manslaughter, and that all his family became very miserable; and his name a term of reproach to its bearer.

^b When the emperor Charles V. heard of his fall, he is said to have exclaimed, "*A butcher's dog has killed the finest buck in England;*" alluding to Cardinal Wolsey, the reputed son of a butcher.

Stafford, with a seat and voice in parliament; and further, that the said Henry be restored in blood, as son and heir of Edward, late duke of Buckingham, &c.” Thus this Act was not a restitution to the ancient barony of Stafford, but the creation of a new barony, with a special limitation to the heirs male of his body only; and to this new barony he was summoned to parliament the 2 Edw. VI., and his name inserted in the writ as the last baron. He afterwards had summons to the 5 and 6 Philip and Mary, and the 1 queen Elizabeth. His wife was Ursula, daughter and heir of Sir Richard Pole, K. G., by Margaret Plantagenet, countess of Salisbury, daughter and heiress of George, duke of Clarence, eldest brother to king Edw. IV. He died the 5 queen Elizabeth, 1562, and was buried at Worthen, in the county of Salop.*

* Parochial
Register.

Edward, second lord Stafford, of the new creation,^a had summons from the 8 queen Elizabeth to the 1 James I., 1603, in which year he died, leaving

Edward, the third baron, his son and heir, who had summons from the 3 to the 21 James I., and died in 1625, leaving Henry his grandson and heir, son of Edward his only son, who died in his lifetime: which

Henry, fourth lord Stafford, died under age, unmarried, leaving Mary his only sister his heir, who married Sir William Howard, as hereafter mentioned. But the barony of Stafford, under the act of parliament of the 1 Edw. VI., did of right descend upon the next heir male, who then was Roger Stafford, son and heir of Richard Stafford, second son of Henry the first baron of the new creation made by the aforesaid act of the 1 Edw. VI. This

Roger Stafford was then at the advanced age of sixty-five, and though the descendant of kings and princes had through obscurity and poverty to trace and maintain his right of succession against the all-powerful house of Howard; he however submitted his right to the king's judgment, upon which submission his majesty declared his royal pleasure, “*That he, the said Roger Stafford, having no part of the inheritance of the said lord Stafford, nor any other lands or means whatsoever, should make a resignation of all claim and title to the said barony of Stafford, for his Majesty to dispose of as he should think fit.*” In obedience whereto, he did by his deed enrolled 7 December, 1639, surrender the said

^a The printed case on the Jerningham Stafford claim, gives a Henry to have succeeded, and to have been summoned to several parliaments, on Dugdale's statement of *Henry* instead of *Edward*, in his Lists of Summons, contrary to his statement in his Baronage, (vol. i., p. 171,) where he says *Edward succeeded his father Henry*. The printed case does not mention when this presumed Henry died: but supposes that he died unmarried, and was succeeded by his brother Edward. The error (if one) appears to have arisen from the misnomer of *Henry* for *Edward* in the four writs of summons of the 8, 13, 14, and 18 queen Elizabeth. Sir Harris Nicolas, in his Peerage Synopsis, (vol. ii., p. 600,) has a note under the title of Stafford, upon this point, made with his usual acumen of remark. But it nevertheless is said, that by a MS. which undoubtedly was once in the Stafford family, that a Henry, although unnoticed by Dugdale in his Baronage, was the successor to his father, who had four sons, Henry, Richard, Edward, and Walter.

barony, honour, name, and dignity of lord Stafford, and all his right thereto, and covenanted before the end of Hilary Term to levy a fine of the said barony, which fine was levied accordingly.

It may here be asked, how could he surrender what he was not entitled to, and how levy a fine of what he did not possess? If he was entitled, the compulsion to surrender his right was as arbitrary and unjust as many others, for which his majesty thereafter found that his subjects were not all inclined patiently to endure; and received a lesson that sovereigns are as answerable to the people for their misdeeds, as the people are to them for their illegal actions,—a lesson, which his son James II. (though not similarly) experienced.

This insulted and unfortunate old man dying shortly after, circ. 1640, unmarried, the heirs male of the body of Henry, son and heir of Edward, the last duke of Buckingham, ended, and the male barony of Stafford became extinct.

HOWARD, BARON AND BARONESS STAFFORD.

THE barony of Stafford having been thus extorted from Roger Stafford, the heir male, to whom it rightfully belonged, was conferred upon Sir William Howard, a younger son of Thomas, the tenth earl of Arundel; which

Sir William Howard having married Mary, sister and sole heir of Henry, the fourth baron of the new creation, they, the said William and Mary his wife, were created baron and baroness Stafford, with remainder to the heirs male of their bodies; and in default thereof to the heirs of their bodies, the 12th of September, 1640; and in the November following he was created viscount Stafford, with remainder to the issue male of his body. But this ill acquired barony with his viscounty prospered not in him, for in 1678 he was accused of a concern in the popish plot, and being found guilty, on trial by his peers, he was beheaded on Tower Hill, in December 1680, and being attainted his honours were forfeited. Mary baroness Stafford his wife surviving him, was afterwards, in 1688, created countess of Stafford for life. She died in 1693, when her dignity of countess became extinct; and her husband having been attainted, her issue by him could not succeed to the barony; though had she remarried, and had issue, such issue would have been heirs to her, and not affected by the Howard attainder.

Henry Stafford Howard, eldest son of the Viscount and Mary his wife, was never restored, nor the attainder of his father reversed, but he was created earl of Stafford in 1688, with remainder failing his issue male, to his brothers John and Francis, and their issue male respectively. He died in 1719, s. p., when his nephew

William Stafford Howard, son of his brother John, became the second earl. He died in 1734, and was succeeded by his son and heir,

William Mathias Stafford Howard, third earl, who deceasing in 1751, s. p., the earldom devolved upon his uncle and heir,

John Paul Stafford Howard, next brother to William, the second earl. He dying in 1762, also without issue, the earldom of Stafford became extinct for want of male issue, under the patent of creation the 5 October, 1688.

The male issue of Sir William Howard, first baron and viscount Stafford, by Mary his wife, having thus all become extinct, the inheritance of the barony limited to the heirs of the bodies of the said Sir William and Mary his wife, failing their issue male, would have descended upon Sir William Jerningham, bart., eldest son of Sir George Jerningham, by Mary, sole daughter and heir of Francis Plowden, by Mary Stafford his wife, sister and eventually sole heir of John Paul, the last earl of Stafford, and in such respect heir general of the body of Sir William Howard, the first baron, and Mary baroness Stafford his wife. But the attainder of Sir William precluded an inheritance under this right of descent.

Sir William Jerningham however preferred a claim to the barony, which on reference to the House of Lords was for a long time pending before their Lordship's Committees of Privileges, and in 1824 an act of parliament was passed, reversing the attainder of William Howard, baron and viscount Stafford, in 1680. The barony has since been allowed to Sir George Jerningham, son and heir of Sir William, who has thereupon taken his seat in the House of Peers, which renders any further account unnecessary.*

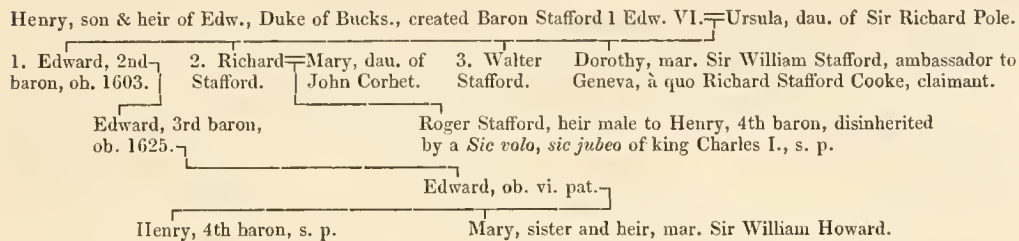
* Vide Lodge's
Annals of the
Peerage.

The claim, however, of Sir William Jerningham was controverted by a Mr. Richard Stafford Cooke, deriving himself from Dorothy Stafford, sister to Richard, father of Roger Stafford, who was so unjustly compelled to surrender his rights. The pretensions of this person, so descended, do not appear to be founded on any maintainable ground; as he was neither heir general of the body of the attainted duke, (whose attainder was never reversed) nor heir general of the body of Henry, the duke's eldest son, to whom, by the letters patent, and the act of parliament of the 1 Edw. VI., a new barony of Stafford was granted, specially limited to the heirs male of his body; and he was not in any way descended from Sir William Howard and the lady Mary his wife, whom king Charles I. had created baron and baroness Stafford. But the argument of Mr. Cooke rested upon the point that "*The attainder of William baron and viscount Stafford, had created a corruption of blood, and his issue was thereby incapable of claim, being dead in law, and as such the same as if they had never been born.*" So far this position of his case was very feasible: yet it did not constitute in him a legal right, for while issue remained from William baron and viscount Stafford, though they were incapable of inheriting till reversal of the attainder, they nevertheless were an impediment to Mr. Cooke's right of succession, because reversal of the attainder would remove the obstacle against them,—a point which was resolved by the Lords in the case of Mr. Stapleton, claiming to be sole heir to the barony of Beaumont,† against the other coheir Norris, whose blood stood attainted.

† Vide Beau-
mont.

The claim of Mr. Cooke, as to the old barony of Stafford, was clearly vague; as that barony still remained in the crown under the attainder of the duke of Buckingham; and was not regranted by the letters patent of Hen. VIII., or the act of parliament of the 1 Edw. VI. The case of Dr. Lloyd claiming the barony of Lumley,* was adjudged by the lords against him on this principle. * Vide Lumley

The descent of Mr. Cooke was derived thus, viz: Richard Stafford Cooke, (the claimant), son of John, son of John by Catherine his wife, daughter of Richard, son of John, son of William, son of William Stafford, second son of Sir William Stafford, (ambassador to Geneva), and Dorothy his wife, daughter of Henry, the restored baron Stafford, son and heir of Edward Stafford, duke of Buckingham, earl and baron Stafford, &c., attainted and executed 13 Hen. VIII.



STAFFORD OF CLIFTON.—(44 EDW. III.)

SIR RICHARD STAFFORD, a younger brother of Ralph, first earl of Stafford, having married Maud, daughter and coheir of William baron de Camville, of Clifton,† was styled thereof by reason of acquiring that lordship.^a He had summons to parliament from the 44 Edw. III. to the 3 Ric. II., inclusive, and died circ. 1381, leaving issue two sons, Edmund and Thomas: which

† Vide Camville.

Edmund de Stafford was a priest, and was afterwards bishop of Exeter; so that if summoned to parliament, it was in his character of bishop;—not having any issue his brother

Thomas de Stafford was his heir, who was never summoned to parliament; and died, leaving a son Thomas, and a daughter Katherine; which

Thomas de Stafford never had summons; and dying s.p., his sister Katherine became his heir, who married Sir John Arden, or Arderne, knight, and succeeded to the

^a Dugdale in his account of the Stafford family states that he had a son Richard, who was the Richard summoned to Parliament; whereas in the printed pedigree on the Jerningham Stafford claim before the House of Lords, there is only one Richard noticed, as is here followed.

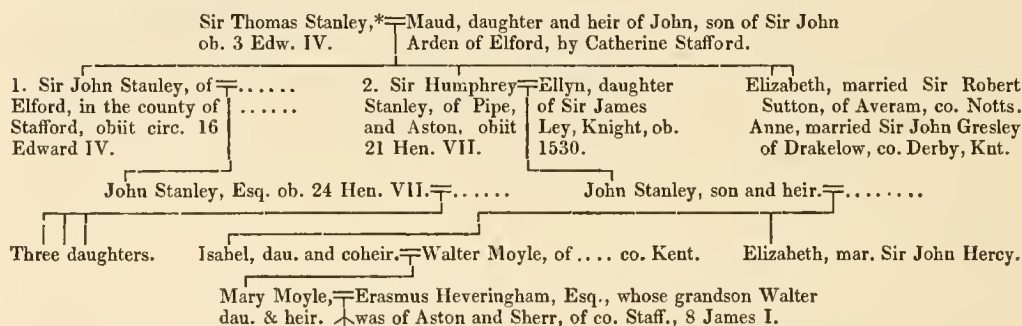
inheritance. By Sir John Arden she had issue a daughter and heiress Maud,^a who married Sir Thomas Stanley, second son of Sir John Stanley, K.G.; in the descendants of which Maud, the barony of Stafford of Clifton is presumed to be now vested.

The writs of summons to parliament addressed to Sir Richard Stafford were personal viz., "*Richard de Stafford*," without any allusion to the barony of Camville of Clifton,* to which his wife was a coheir; and to which it is most probable he was first summoned in her right.

* Vide Camville.

† Dugd. Writs of Summ.
‡ Ibid.

In the 35 Edw. III. he had summons to a great council to be holden at Westminster,† touching the affairs of Ireland; in which summons directed to the sheriff of Nottingham and Derby, are these words, viz:‡ "*Quod præmunire facias hæredes de Caumvyl, terras, et tenuram in Hibernia habentes.*" In the same writ with Richard de Stafford is also mentioned the name of *James de Stafford*, concerning whom, Dugdale does not take any notice in his Baronage.



* Sir Egerton Bridges, in his edition of Collins's Peerage, (vol. iii., p. 54.), states that he left only a son John, who died in 1447, leaving a daughter and heir, who married William Staunton.

Inscription in the church of Northen, in the county of Chester.

"Ora pro animâ Johannis Stanley quondam D'ni de Pipe, Clifton Campville, et Eleford in comitatu Staff., etiam de Sibertofte in com. Northamp., de Campden super Wolde in com. Glouc., etiam de Echel, Aldeforde, et Alderley in com. Cestræ, qui obiit 22 Novem. anno 1508."

Epitaph on a plate of Brass on a Marble in the north side of Stone church in the county of Stafford.

"Of your charity pray for the soule of Ellyn Stanley, widow, late the wife of Sir Humphrey Stanley, Knt., and daughter of Sir James Ley, Knt., which Ellyn died the 29 March, in the year of our Lord 1530."

STAFFORD OF SUTHWICK.—(1 EDW. IV.)

HUMPHREY STAFFORD descended from Sir John Stafford, of Hooke, in the county of Dorset, was first summoned to parliament as a baron the 1 and 2 Edw. IV., as "*Hum-*

^a Sir John Arden was of Elford in the county of Stafford, where a monumental pedigree in the church, of William Brooke, who possessed part of the Arden estates, and died in 1641, exhibits another Sir John Arden, son to the former, and gives him a wife Matildis; and makes Matildis, or Maud, the wife of Stanley, to be daughter to Sir John Arden, (or Arderne,) junior.

frido Stafford de Suthwyk Militi;" and was by patent, 1464, created lord Stafford of Suthwyck.* After when, in 1469, the 9 Edw. IV., he had conferred upon him the title of earl of Devon; but this earldom was of short duration, for the very same year, having been sent with a body of Archers to join with the earl of Pembroke, in the suppression of the northern insurrection under Sir John Conyers, he for some offence given him, as he considered by Pembroke, deserted him, whereof, the king being informed, gave command to the sheriffs of Somerset and Devon for his apprehension, without delay, and to put him to death: whereupon, being taken, he was carried to Bridgewater, and was beheaded 17 August, 9 Edw. IV. Dying s.p., all his honours became extinct.

* In Tail. Gen. Pat. 4 Edw. IV., m. 17.

STANLEY.—(34 HEN. VI.)

THE original surname of this family is said to have been Aldithle, or Audley, but afterwards changed by reason that William de Audley received from his cousin Adam the manor of Stanleigh, or Stanley, and thenceforth the descendants of William assumed that name; but it was long before any of them acquired baronial rank.

Sir Thomas Stanley was first summoned to parliament by a special writ, tested the 34 Hen. VI., addressed "*Thomæ Stanley Domino de Stanley*,"† but never after, and died circ. 1458-9, leaving by Joan, daughter and coheir of Sir Robert Goushill, of Hoveringham, in the county of Nottingham, knight, by Elizabeth his wife, daughter and at length one of the coheirs of Richard Fitz Alan, earl of Arundel.

† Claus. in dorso., m. 12.

Thomas Stanley, his eldest son and heir, who had summons to parliament from the 38 Hen. VI. to the 1 Richard III., after whose death, for his very meritorious service at the battle of Bosworth, on the termination of which, he placed the crown of the slain monarch on the head of the victor, he was advanced by king Hen. VII. to the dignity of earl of Derby, 27 October, 1485. From this period the barony of Stanley became merged in the higher title of earl of Derby,‡ till by the demise of Ferdinando, the fifth earl, without issue male, it fell into abeyance among his three daughters and coheiresses, viz: Anne, married, first, to Grey Bridges lord Chandos, and secondly, to Mervyn Touchet lord Audley; Frances, to John Egerton, earl of Bridgewater; and Elizabeth, to Henry Hastings, earl of Huntingdon, in the representatives of which coheirs, the barony of Stanley, with that of Strange of Knokin, still remains suspended. The earldom of Derby devolved upon his brother and heir male William, who became the sixth earl, and whose son and heir apparent James, had summons to parliament *vitâ patris* by writ the 3 Charles I.,§ addressed "*Jacobo Stanley de Strange Ch'Pr primogenito Willielmi Comit'is Derbyæ*," also the 4 and 15 Charles I. by the same description.

‡ Vide Collins's Peer. Sir Egert Brydges.

§ Dugd. Lists. of Summ. and Lords' Journ.

It is to be observed that Henry, fourth earl of Derby, father of Ferdinando, married

Margaret, only daughter of Henry Clifford earl of Cumberland, by Elianor his wife, daughter and coheir of Charles Brandon, duke of Suffolk, by Mary, dowager queen of France, relict of Lewis XII., and youngest daughter of king Hen. VII.; by virtue of which descent, the daughters and coheirs of earl Ferdinando, became under the will of king Hen. VIII., (which he was empowered by the parliament to make, and thereby settle the succession to the crown), preferable to the issue of Margaret, eldest daughter of king Hen. VII., in the inheritance of the throne, after the deaths of Edw. VI., queen Mary, and queen Elizabeth, s.p. The present duke of Buckingham and Chandos, and the present marquess of Hastings, are the heirs representatives of the ladies Anne and Elizabeth Stanley; and the duke of Sutherland heir general of the late duke of Bridgewater, of the lady Frances Stanley.^a

Sir Thomas Stanley, summoned to parliament 34 Hen. VI. = Joan, daughter and coheir of Sir Robert Goushill.

Thomas, 2nd baron, created Earl of Derby, ob. 1504. = Eleanor, daughter of Richard Neville, Earl of Salisbury.

George, summoned to parliament as Lord Strange of Knokyn, jure uxor., 22 Edw. IV., ob. vitâ patris, 5 December, 1497. = Jane, daughter and heir of John Lord Strange of Knokyn.

Thomas, 2nd Earl, succeeded his grandfather in 1504, ob. 1521. = Anne, daughter of Edward Lord Hastings.

Edward, 3rd Earl, ob. 4 December, 1574. = Dorothy, dau. of Thomas Howard, Duke of Norfolk, by his 2nd wife.

Henry, 4th Earl and 4th Lord = Margaret, only daughter of Henry Clifford, Earl of Cumberland, by Alianore, daughter and coheir of Charles Brandon, Duke of Suffolk, by Mary, dowager queen of France, youngest daughter of king Henry VII.

Ferdinando, 5th Earl, ob. 1594. = Alice, daughter of Sir John Spencer, of Althorpe, in the county of Northampton.

William, 6th Earl, heir male to his brother.—*Vide Strange.*

Anne, dau. and coh., aged 13 years 11 months, mar., 1st, Grey Bridges Lord Chandos, 2nd, Mervyn lord Audley, represented by the Duke of Buckingham.

Frances, dau. and coheir, aged 11 years 4 months, m. John Egerton, Earl of Bridgewater, ob. 1635, represented by the Duke of Sutherland.

Elizabeth, dau. and coheir, aged 7 years 8 months, mar. Henry Hastings, Earl of Huntingdon, represented by the Marquess of Hastings.

STANLEY LORD STRANGE.—(3 CHARLES I.)

FERDINANDO, fifth earl of Derby having deceased without issue male, William his brother, succeeded to the earldom as heir male, under the limitation of the patent of creation, and became the sixth earl of Derby. He died in 1642, and was buried at Ormskirk. His son and heir

James, seventh earl of Derby, was in the lifetime of his father summoned to parliament as lord Strange, the 3 Charles I., and to other parliaments,* till he succeeded to the earldom, by virtue of which writs he acquired a barony of Strange, distinct from that which had descended in abeyance to the daughters and coheirs of his uncle earl Ferdinando. This James is the earl of Derby so famous for his loyalty in the service of king

* Dug. Lists of Summ. and Journ. Dom. Proc.

^a Vide certificate under the hand and seal of Sir Isaac Heard, Garter principal king of arms, dated College of Arms, 12 February, 1806.

Charles I., in whose cause he lost his life, being taken prisoner at the disastrous battle of Worcester, 3 September, 1651, and afterwards beheaded. He was succeeded by

Charles his son and heir, eighth earl, who died in 1672, leaving

William Richard George his son and heir, ninth earl, who dying in 1702, without surviving issue male, was succeeded by his brother James in the earldom; but the barony of Strange fell into abeyance between his two daughters and coheirs, Henrietta, and Elizabeth who died unmarried in 1714, whereby Henrietta became sole heir. She was twice married, but had issue only by her second husband, John lord Ashburnham, a daughter Anne, who died unmarried in 1732, so that the barony of Strange then fell to her uncle James, earl of Derby, which

James, tenth earl, died in February 1735, without surviving issue, and the earldom devolved upon the next heir male, in the person of Sir Edward Stanley, Bart., descended from James, third son of George lord Strange, of Knokyn, who died *vitâ patris* Thomas, the first earl of Derby, from which Sir Edward Stanley is descended the present earl; but the barony of Strange descended to the duke of Athol as eventually heir general of the body of James, seventh earl, in whom, as before mentioned, it was created by writ of summons, the 3 Charles I., which duke was descended from lady Amelia Sophia Stanley, daughter of the said earl James, and who married John Murray, then marquess of Athol, whose son and heir John was created duke of Athol, and had issue James, the second duke, who claimed, and was allowed the barony, 14 March, 1737, and died in 1764, leaving a daughter Charlotte, who married her cousin John, third duke of Athol, and had issue John, the fourth duke, who succeeded his mother in the barony of Strange, in 1805; but before then, in her lifetime, he was created earl Strange, and baron Murray, of Stanley, in the county of Gloucester, 8 August, 1786. By this title of earl Strange, the duke of Athol has his seat in the house of lords as an English peer.*

* Vide Coll.
Peer. per Sir
Eger. Bridges.

STAPLETON.—(6 EDW. II.)

OF this very ancient and eminent family, divided into several branches, it appears that only one was ever summoned to parliament, of which Dugdale says,†^a

Miles de Stapleton was summoned the 6 and 7 Edw. II., the writ being directed‡ “*Miloni de Stapilton.*” He was much distinguished in the wars of Gascoigne, and Scotland, and died the year following his last writ of summons. His wife was Sibill, one of the daughters and coheirs of John de Bella Aqua, by Laderina his wife, one of the sisters

† Baron, vol.
ii., p. 70.
‡ Ibid. Lists
of Sum.

^a In the 6 Edw. I., (*Claus m. 5, Dorsø., Rot. Parl., vol. i., p. 224*), the name of Nicholas de Stapleton is mentioned as present in that parliament when Alexander, king of Scotland, did homage to Edw. I. But not any writ of summons is extant for that year. He probably was present as one of the *king's justices*, and not as a *baron*; being at that time one of the justices of the king's bench.—(*Vide Chronica Juridicialia.*)

and coheirs of Peter de Brus, the last baron of Skelton; which John de Bella Aqua, in the division of the Brus inheritance, obtained the manor of Carleton, in the county of York, with other considerable lands, and was summoned to parliament the 22 Edw. I.;* as appears in Dugdale's Lists of Summons, though unnoticed by him in his Baronage. By this great heiress,^a Miles de Stapleton left issue Nicholas his son and heir, who, on his father's death, had livery of his lands, the dowry of Joane, the widow of Miles, excepted,† who must have been a second wife; which

† Dug. Bar.,
vol. ii.

‡ Dug. Lists
of Sum.

Nicholas de Stapleton was in the insurrection made by the earl of Lancaster, the 15 Edw. II., for which offence he was fined two thousand marks, which were afterwards remitted. He was never summoned till the 16 Edw. III.,‡ when he had summons along with the earls and barons to a great council to be holden at Westminster, which was afterwards prorogued, and he was not summoned again; dying not long after, circ. 17 Edw. III., leaving

§ P. 47.

|| Baron., vol.
ii., p. 70.

¶ Vide Ingham

Miles de Stapleton, his son and heir, who is not mentioned by Dugdale to have been ever summoned, but Mr. West (lord chancellor of Ireland) in his Inquiry§ into the Origin and Manner of creating peers, says, "that *he was summoned the 32 Edw. III.,*" for which year and the following, Dugdale could not find the bag, and therefore in his printed lists of summons inserted for those years *nullæ summonitiones*. This Miles de Stapleton is recited by Dugdale|| to have married Joane, daughter and heir of Oliver de Ingham, widow of Roger le Strange; but this is very erroneous, as Miles de Stapleton, who married Joane de Ingham, was son of Gilbert de Stapleton by Agnes his wife, daughter and coheir of Brian Fitz Alan, of Bedale, as under the article of Ingham has been fully shewn and exemplified by the monumental Inscriptions;¶ the said

** Synopsis,
vol. ii., p. 608.

Thomas de Stapleton died circ. 47 Edw. III., but was never summoned to parliament; not having any issue, his sister Elizabeth became his heir, and heir general of the body of Miles de Stapleton, summoned to parliament the 6 and 7 Edw. II., her great-grandfather. She married Thomas Metham, and in her representatives, Sir Harris Nicolas says,** "*the barony is now vested;*" of which representatives, Mr. Dolman, a gentleman at York, is the heir, and has accordingly presented a petition to her majesty, and obtained an order of reference thereon to the attorney-general.^b

It is to be observed that this barony, though dormant, is not in abeyance, Mr.

^a It may be considered that Miles was summoned in virtue of his wife's inheritance, inasmuch as Aucher Fitz Henry, who married Joane, another daughter of John de Bella Aqua, and sister to Sibill de Stapleton, was also summoned to parliament in the 2 Edw. II., and from the 6th to the 19th of the same reign; but Miles de Stapleton deceased the 8th.—(*Esch. n. 17.*)

^b This is to be considered on the authority of Mr. Burke, the author of the *Plebs*, or what he terms the *Landed Aristocracy*, who, in one of his peerage editions, has stated such petition to have been presented, and order of reference obtained, awaiting proceedings thereon.

Dolman being the sole heir representative of Miles de Stapleton, the first baron summoned to parliament.

Miles de Stapleton, sum. to parl. 6 & 7 Edw. II., ob. 8 Edw. II. — Sibill or Sihylla, d. & c. of John de Bella Aqua.

Nicholas Stapleton, ob. 17 Edw. III. — *Esch.*, no. 43.* —

Miles Stapleton, ob. 46 Edw. III. — Isabella — *Vincent*, 6 *Quid non*. p. 101.

Thos. Stapleton, ob. 47 Edw. III. s.p. Elizabeth Stapleton, s. & h. — Thos. Metham, ob. 4 Hen. IV. — *Esch.*, n. 16.

Alexander Metham, ob. 4 Hen. V. — Elizabeth, daughter of Lord Darcy, ob. 9 Hen. VI.

Thomas Metham, ob. 12 Edw. IV. — Mundana, daughter of Sir John Waterton, of Medley Castle, Knight.

Richard Metham. — Margaret, daughter of Ralph Babthorpe, Esq.

Sir Thomas Metham, Knight. — Anne, daughter of Sir John Tempest of Bolliog.

Sir Thomas Metham, Knight. — Elizabeth, daughter of Sir Robert Constable of Flamborough, Knight.

Sir Thomas Metham, Knight. — Maud, daughter of Sir John Hothum, Knight.

Thomas Metham. — Grace, daughter of Thomas Pudsey of Barforth.

Sir Thomas Metham, Knight. — Dorothy, daughter of George Lord Darcy.

Thomas Metham, ob. 1610. — Katherine, daughter of Sir William Bellasis.

Sir Thomas Metham, æt. 10, anno 1585, slain at Marston Moor. — Barbara, dau. of Philip Constable, Esquire.

Thomas Metham, ob. cœlebs. Catherine, sister and coheir, mar. Edw. Smith, Esq., s.p. Barbara, sister and coheir, ob. 1626. — Thomas Dolman, Esq. of Badsworth and Pocklington, in the county of York.

Robert Dolman, of Badsworth and Pocklington, Esq. — Catharine, dau. of Edmund Thorold of Hough, co. Linc., Esq.

Two sons, ob. s. p. William Dolman, only surviving son and heir. —

Robert Dolman of Pocklington, Esq., son and heir. — Anne, dau. of Richard Brigham of Brigham, Esq.

Robert Dolman of Pocklington, M.D., s. & h. — Peggy, only d. & h. of Thos. Reynolds of Mauraugh, in co. Notts, Esq.

Thomas Dolman, Esq., s. & h. the petitioner, died 184. — Martha Leach, d. of John Griffith, of St. Briavell's, co. Glouc.

John Thomas Dolman, son and heir, nunc, 1844.

* Cousin and heir of Laderina, mother of Sibilla Bellew. — (*Esch.* 4 *Edw.* II.)

+ *Michil, Fin.*, 3 *Ric.* II., F. 257, *Ebor.* — Thomas de Metham, and Elizabeth his wife, sister and heir to Thomas Stapleton, in lands in Southborne, Tibthorpe, and Carleton, per Serv' eighth part of the barony of Brus of Skelton.

STRABOLGI.—(15 EDW. II.)—(VIDE ATHOL.)

STRANGE OF KNOKIN.—(45 HEN. III. AND 28 EDW. I.)

JOHN LE STRANGE,^a lord of Knokyn, had summons to that parliament called to meet in London, the 45 Hen. III.,* by the description of "*Jok'i Estrange, senior.*" He died the 53 Hen. III., 1269, leaving

* Vide copy of writ in vol. ii.

^a For the origin of the name vide Dugdale, vol. i., p. 663, and Banks's *Dormant and Extinct Baronage*, vol. ii.

* Vide
Someri.

John le Strange, his son and heir, who married Joane, one of the daughters and coheirs of Roger de Someri,* by Nichola his first wife, one of the sisters and coheirs of Hugh de Albini, earl of Arundel, and died the 4 Edw. I.; when he was succeeded by his son and heir

† Dugd. Lists
of Summ., and
copy of writ in
vol. ii.

‡ Coron Rot.,
1 Edw. II.
copy of writ in
vol. ii.

§ Dugd. Lists
of Summ.

John le Strange, who the 26 Edw. I. had summons to Carlisle equis et armis, as *Johan' le Straunge*, and in the writ was styled a *baron*, the persons so summoned being distinguished by their respective ranks.† He was afterwards summoned to parliament as "*Johanni le Strange*" from the 28 Edw. I. to the 2 Edw. II., but in that year and the next, with the addition of "*de Knokyn*." To the coronation of Edw. II., he was summoned as "*Jok'i Ext'neo*."‡ The 29 Edw. I., he was one of those in the parliament at Lincoln who subscribed the letter to the pope by the designation of "*Johannes le Estraunge Dominus ds Cnokyn*."§ He died the 3 of Edw. II., leaving by Maud his wife, daughter and heir, according to Dugdale,^a of Roger D'Eiville, John, Eubolo, and Hamon, ancestor to the family of Le Strange, at Hunstanton, in Norfolk; of these sons

John le Strange, the eldest, succeeded his father, and had summons to parliament the 4 Edw. II., in or about which year he died, leaving by Isolda his wife, daughter and heir of John de Walton, of Walton D'Eiville, in the county of Warwick,

John le Strange his son and heir, who was summoned the 6 and 7 Edw. II., but dying s.p., he was succeeded by his brother

|| Baron vol. i.
p. 665.

¶ Vid. Ingham

** Blore's
Rut. p. 228.

*† Ibid.

Roger le Strange,^b who had summons the 22 and 23 Edw. III., in which year he died. He is said, by Dugdale,|| to have married Joane, daughter and coheir of Oliver de Ingham, and at the time of his decease to have been seised of the manor of Middleton and other lands jointly with Maud, his wife, which if so, shows that Joane de Ingham must have been the widow of Miles de Stapleton, and he not her first husband.¶ Mr. Blore asserts that he had not any issue by Joane de Ingham, but had by Maud, his first wife,** Roger his son and heir, which

Roger le Strange had summons to parliament from the 29 Edw. III. to the 6 Ric. II., about which time he died, leaving Aliva, or Alleyne, his wife, daughter of Richard,*† earl of Arundel, surviving, and

John le Strange his son and heir, aged thirty, who had summons from the 7 to the 21 Ric. II., and died circ. 1398. He married Maud, daughter and eventually one of the coheirs of John de Mohun, of Dunster,*‡ by which Maud he left issue,

*‡ Vide
Mohun.

^a Blore in his Rutland states that she was daughter and heir of Eubolo de Montibus, lord of Kelton, which, from one of his sons being named Eubolo, seems to warrant Mr. Blore's assertion.—(p. 228).

^b In a note written in Dugdale's Baronage (*pen. auct.*), it is mentioned on the authority of Cooke (*Clarencieux*), that he was not brother of John, but son of Eubolo, for which it is cited that his son Roger died seised of Halton, in Lincolnshire, which was part of the Lacie inheritance. Dugdale recites that this second Roger died seised of Halton.—(p. 665.)

Richard le Strange, his son and heir, who was summoned to parliament from the 5 Henry IV. to the 27 Henry VI., a period of time longer than any of his predecessors, though rather a boisterous period. He was twice married, first, to Constance, daughter of ———, whose will is dated 17 Hen. VI.; and secondly, to Elizabeth, daughter of Reginald lord Cobham, of Sterborough, by whom he left

John le Strange, his son and heir, summoned from the 6 to the 12 Edw. IV. He married Jaquetta, daughter of Richard Widville earl Rivers, sister to Elizabeth queen of Edw. IV. He deceased the 15 of October, 17 Edw. IV., leaving issue an only daughter and heir

Johanna le Strange, who married George Stanley, son and heir apparent of Thomas, first earl of Derby, and carried the barony of Le Strange, of Knokyn, into the Stanley family, as under that article has before been shown.*

* Vide Stanley

STRANGE OF BLACKMERE.—(2 EDW. II.)

ROGER LE STRANGE, of Knokyn, who died the 53 Hen. III., by Amice, his wife, had five sons, viz., John, his successor in Knokyn; Hamon, who had Ellesmere; Robert, who married Alianore, one of the sisters and coheirs of William de Blancheminster, (alias Whitchurch); Roger, who had Ellesmere by gift of his brother Hamon; and William, who died young.† Of these sons,

Robert le Strange, the third, was succeeded by his son John, called Le Strange, of Blackmere, who died the 11 Edw. I., s.p., leaving his brother

† Blom. Norf. v. ix., pp. 36, 37, 8vo. Edit.

Fulk le Strange his heir, who though not summoned to the parliament at Lincoln the 29 Edw. I., yet is mentioned to have had his seal affixed to the letter then addressed by the nobles to the pope,‡ being styled "*Fulco le Straunge Dominus de Corfham.*" He was afterwards summoned to parliament from the 2 to the 18 Edw. II., as "*Fulco le Straunge;*" about which time he deceased, leaving by Alianore his wife, daughter and coheir of John Gifford, of Brimsfield,

‡ Dug. Lists of Summ.

John le Strange, his son and successor, who from the 4 to the 17 Edw. III. was summoned as John le Strange; but, in the 22 and 23 Edw. III., with the addition of "*de Blackmere.*"§ He married Ankaret, one of the sisters and coheirs to Edward Bote-ler, of Wemme; and dying circ. 23 Edw. III., was succeeded by his son

§ Ibid.

Fulk le Strange, who does not appear to have been ever summoned; dying in his minority, s.p., and leaving his brother

John le Strange his heir, who had summons only in the 34 Edw. III., and died the year following, leaving

John le Strange his son and heir, then only six years old, who afterwards died the

49 Edw. III., at about twenty-one years of age, never having been summoned to parliament. Here it is to be observed that there was a Roger le Strange, who, the 44, 46, and 47 Edw. III., had summons* to parliament as "*Roger le Straunge de Blakemere*," of whom Dugdale does not take any notice, which creates a vacuum in the course of this descent, not readily to be accounted for. The last mentioned John le Strange left an only daughter and heiress

* Dugd. Lists
of Summ.

Elizabeth le Strange, who married Thomas Mowbray, earl of Nottingham; but dying s.p., her aunt Ankaret, sister to John her father, became her heiress, and married Richard, son and heir apparent of Gilbert lord Talbot, which

TALBOT LORD STRANGE OF BLACKMERE.—(7 Ric. II.)

RICHARD TALBOT had summons to parliament from the 7 to the 11 Richard II., as "*Richardo Talbot de Blakemere Ch'v'r*," when he succeeded his father as lord Talbot; from which period the barony followed the course of succession of the Talbot barony, as

† Vide Talbot. coalesed therewith.†

STRANGE OF ELLESMERE.—(23 Edw. I.)

ROGER LE STRANGE, of Ellesmere, obtained this manor from his brother Hamon, who died s.p., and is presumed to be the same Roger who had summons to parliament the 23, 24, and 25 Edw. I.; and though not summoned to the parliament at Lincoln the 29 Edw. I., was one of those who had their seals affixed to the letter then written to the pope,‡ being designated "*Rogerus le Estraunge Dominus de Ellesmere*;" but after this no further mention occurs of him, nor any descendants from him, and he probably died s.p.

‡ Dugd. Lists
of Summ.

EUBOLO LE STRANGE.—(20 Edw. II.)

EUBOLO LE STRANGE was a younger son of John lord Strange, of Knokyn, by Maud D'Eiville (or de Montibus). He married Alice, daughter, and eventually heiress, of Henry de Lacie, earl of Lincoln, (widow of Thomas, earl of Lancaster), and in her right assumed the title of earl of Lincoln. He however was only summoned to parliament as a baron, by the style of "*Euboloni le Estraunge*," from the 20 Edw. II. to the 9 Edw. III., inclusive, in which year he died, as is generally stated, s.p.; though Cooke (Clarencieux), by a note mentioned under the article of Strange, of Knokyn, quæries his having a son

Roger, whose son Roger Strange, of Knokyn, died seised of the manor of Halton, in the county of Lincoln, part of the Lacie inheritance. But it seems the most correct that he died s.p., and that Roger le Strange, of Knokyn, was his cousin, or rather nephew and heir.

STRYVELIN.—(16 EDW. III.)

JOHN DE STRYVELIN had summons the 16 Edw. III. along with divers earls and barons to a great council to be holden at Westminster, which was afterwards prorogued.* Subsequently he was summoned from the 37 to the 44 Edw. III. to the respective parliaments of those years. He was a Scotchman, and much employed in the affairs of that kingdom, and the 10 Edw. III. had the custody of the castle of Edinburgh committed to him, and was constituted sheriff of Edinburgh.† But Dugdale says, “Further I shall not say of him, none of his posterity having been summoned to parliament.” He is stated to have married Barbara, sister and coheir of Adam de Swinburn,‡ and to have had a daughter Christian eventually his heiress, who married Sir John Middleton, of Belsay castle, county of Northumberland, who with her obtained a large inheritance. She died circ. 9 Hen. V.§ seised of the manor of Burneton, in the county of Northumberland. Sir Harris Nicolas observes,|| “*If this statement be correct*, this barony is vested in her descendants and representatives.”

* Dugd. Lists of Summ.

† Ayloffes’ Scotch Charts. p. 169.

‡ Collins’s Bart., vol. iii., p. 167.

§ Esch. n. 54,

|| Synopsis vol. ii. p. 618.

Wallis in his History of Northumberland,¶ states that Burneton was given by patent (which he cites) the 34 Edw. III., to Sir John de Stryvelin, and that John de Middleton, and Christian his wife, were jointly seised of the same, viz: “Dicunt Juratores, &c., quòd Christiana nuper uxor Johannis de Middleton, militis, defuncti tenuit die quo obiit communiter feoffata cum pradieto Johanne, nuper viro suo, manerium et Villam de Burnton juxta Barnbrugh, in comit. Northumb. et advocationem cantariæ capellæ dicti manerii, &c. Et dicunt quod Johannes Middleton, miles est hæres propinquior, et filius dictorum Johannis Middleton, militis, defuncti, et Christianæ, uxoris ejus, et est ætatis lx. et amplius.”**

¶ Vol. ii., p. 540.

** Esch. 10 Hen. V., n. 54.

SUDLEY.—(28 EDW. I.)

HAROLD, son of Ralph, earl of Hereford, according to Dugdale, but according to other writers, base son of king Harold, held divers manors at the time of the general survey, whereof Sudley was one, from which his son and heir

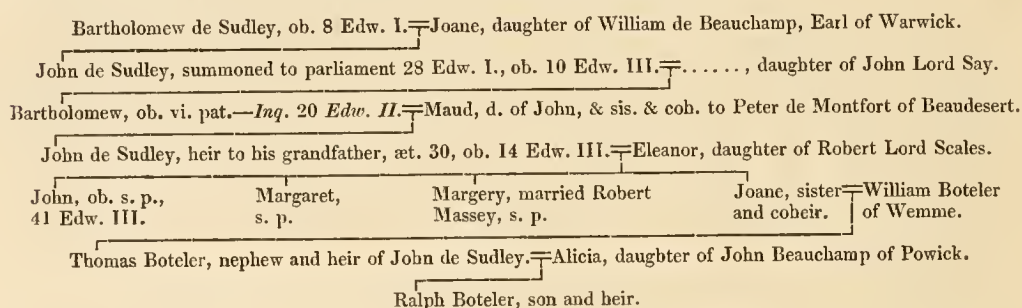
John assumed the name of Sudley; as Robert his brother did that of Ewias from residing at that place. From the said John descended through several mesne descents,

* Orig. 8 Edw. I., Rot. 13, War. & Glou.

Bartholomew de Sudley, who died the 8 Edw. I.,* leaving John his son and heir, which

John de Sudley had summons to parliament from the 28 Edw. I. to the 14 Edw. II., and was summoned to the coronation of that monarch; but never had summons after the 14th, though he did not die till the 10 Edw. III. In the 26 Edw. I. (if he be the same^a person) he was summoned to Carlisle, *equis et armis*, by the name of "*John de Suley*, and in the writ was denominated *a baron*, the persons then summoned being distinguished by their respective ranks. In the 29 Edw. I. he was one who in the parliament at Lincoln affixed their seals to the letter to the pope, being then written "*Johannes Dominus de Sulle*. None of his descendants were ever after summoned, and the barony

† Vide Boteler eventually passed by an heir general into the family of Boteler.†



SUTTON DE DUDLEY.—(16 Edw. III.)

‡ Vide Someri.

§ Vide Sutton, vol. ii.
|| Vide Banks' Dorm. & Ext. Baron., vol. i. and ii.
¶ Egerton Geneal., pen Sir J. G. Egerton, hart.

JOHN DE SUTTON, who married Margaret, one of the sisters and coheirs of John de Someri,‡ lord of Dudley—and in the partition of the inheritance acquired the castle of Dudley—was of a perfectly distinct family from that of Sutton of Holderness, in the county of York.§ He was son of Richard de Sutton, by Isabel his wife, daughter of Rotheric, the son of Griffin;|| which Richard was son of Hugh de Sutton, who married Elizabeth, daughter and heir of William Patrick, lord of a moiety of the barony of Malpas,¶ one of the palatinate baronies of the earldom of Chester. This John de Sutton was succeeded by his son

John de Sutton, who, the 16 Edw. III. had summons among the earls and barons to a great council to be holden at Westminster, and in the writ is styled "*Johanni de*

^a There was a *John de Sulle* the king's Chamberlain.—(Pat. Rot., 34 Edw. I., m. 10.) He was one of the coheirs of the barony of Toriton, co. Devon, and might be the person then summoned, and not *Sudley*.

Sutton de Duddele," as the other John in the same writ* is styled "*Johanni de Sutton de Holderness*;"^a but he was not again summoned, and died the 33 Edw. III., leaving

* Dugd. Lists of Summ.

John de Sutton his son and heir, who never had summons; nor had John his son and heir, who died the 8 Hen. IV., leaving

John his son and heir, according to Dugdale; but as other authorities state,[†] his grandson and heir being son of John his eldest son, who died before him, in 1401; which

† Edmondson Bar. Geneal.

John de Sutton was at his grandfather's death in minority. He afterwards became a person of much action in his time; and by Hen. VI. was made a Knight of the Garter. He had summons to parliament from the 28 Hen. VI. to the 22 Edw. IV., and died about that year, when he was succeeded by his grandson and heir,

John de Sutton, who was son of Edmund his eldest son, who died *vitâ patris*. This John had summons to parliament from the 1 Richard III. to the 3 Hen. VII. by the same denomination as his grandfather, viz: de Dudley. He died shortly after, circ. 1487, leaving

Edward de Sutton his son and heir, who had summons from the 7 Hen. VII. to the 21 Hen. VIII., and deceased the year following, when he was succeeded by

John de Sutton, his son and heir, who sold the castle of Dudley to John de Dudley, lord L'Isle, (after duke of Northumberland,) who much coveted the same, and taking advantage of the weak intellects of its possessor, and the debts with which he had entangled himself, thereby achieved his object. Thus he was never summoned to parliament,^b and thenceforth bore the name of *the lord quondam*, an instance that title is no longer respected than when attended with property.

^a Sir Harris Nicolas in his notes on this family, (*Synopsis*, vol. i., p. 206), observes that it is presumed the *John de Sutton*, who, without addition to his name, was summoned to parliament the 17 and 18 Edw. II., was the husband of Margaret de Someri, and summoned *jure uxoris*. It might be so, but it is certain that none of the Suttons, of Dudley, were summoned as of *Holderness*, though Sir Harris Nicolas (*Synopsis*, vol. ii., p. 629) presumes they were. The mystification followed by the author in the second volume of his *Dormant and Extinct Baronage*, arising from Dugdale not having given any account of the family of Sutton, of Holderness, though the writ of the 16 Edw. III., shows they were two families. The surmise of Sir Harris appears so far well founded, that it was John de Sutton, the husband of Margaret de Someri, who was summoned the 17 and 18 Edw. II. In as much as Dugdale says that the 19 Edw. II., he passed away the castle and manor of Dudley to Hugh, son of Hugh Despencer, so that being then dispossessed of the barony, he was not summoned after. But the 1 Edw. III. he had restitution of it, and his successors had summons accordingly.

^b From this John never being summoned to parliament after his alienation of Dudley Castle, it may be inferred that the barony was considered as one by prescription, the right whereof had descended in succession to each possessor from the time of Gervase Paganel: for if it was a barony first created by writ of summons, he was entitled to be called to parliament, whether or not he possessed Dudley Castle, or any property whatsoever. It would be invidious to name certain noblemen who at present sit, without having an acre of the baronial land which once was holden by their ancestors. Their rank obtains for them many useless places, and appointments, as it obtains for them an interesting influence with the ministers of the day, to have pensions conferred on them, which an overburthened people have to pay.

* Dugd. Lists of Summ. Edward de Sutton, his son and heir, was restored to the castle of Dudley by letters patent, dated 4 November and 31 December, the 3 and 4 Philip and Mary, the same having come to the crown by the attainder of the duke of Northumberland, and he had summons to parliament from the 1 and 2 Philip and Mary* to the 28 queen Elizabeth, when he died, leaving

Edward de Sutton, his only son, to succeed him, who had summons from the 35 queen Elizabeth to the 15 Charles I., and died circ. 1643. His only son Ferdinando having died in his lifetime, left issue a sole daughter and heiress Frances, who on the death of her grandfather became entitled to the barony. It is stated that the lord Dudley being much embarrassed in his fortune, made application to a Mr. William Ward, a rich citizen of London, who by a peculiar fortuitous circumstance in trade had become extremely wealthy,^a to advance him a sum of money, which the crafty and aspiring citizen consented to do, on condition of the marriage of the lord's granddaughter, and baronial heiress, the aforesaid Frances Sutton, with his (Mr. Ward's) eldest son, Mr. Humble Ward. Thus the barony of Dudley came into the Ward family, as under the title Dudley † Vide Dudley has already been shown.†

SWILLINGTON.—(20 Edw. II.)

‡ Dugd. Lists of Summ. ADAM DE SWILLINGTON, so named from the lordship of Swillington, in the West Riding of the county of York, had summons to parliament from the 20 Edw. II. to the 2 Edw. III.,‡ but never after, nor any of his descendants, of whom no account is to be found in Dugdale's Baronage, nor in Sir Harris Nicolas's Synopsis.

§ P. 36. Mr. Blore, in his History of South Winfield,§ gives a short pedigree of the family, by which it appears that Adam de Swillington had a son Robert, whose son Thomas de Swillington left a daughter and heiress Elizabeth, who married Robert Sampson, of the county of Suffolk, and was aged twenty-one and upwards the 8 Hen. VI., in whose heirs representatives the barony of Swillington, if any can be deemed created by the writs of summons to Adam her great-grandfather, may be presumed to be vested.

SWYNERTON.—(11 Edw. III.)

|| Dugd. Lists of Summ. ROGER DE SWYNERTON, whose name is supposed to have been assumed from the lordship of Swynerton, in the county of Stafford, was summoned to parliament the 11 Edw. III.,|| by writ dated 18 August, but previous thereto he had been summoned to a council

^a Vide this circumstance in Banks's "*Grandeur of Trade and Commerce*," or "*History of Mercantile Nobility*."

at Stamford, by writ dated 23 April, and had also a summons to a subsequent one, to be holden at Westminster, by writ dated 21 June; but excepting in these three writs of summons, there is not any further mention made of his name in a baronial character.

An old Visitation of the county of Chester states that Sir Roger de Swynerton, by Matilda his wife, had issue Sir Thomas, who married Matilda (or Maud), daughter of Sir Robert Holland, and was father of Robert who by Elizabeth his wife, daughter of ——— Booth had Sir Robert, whose wife was Elizabeth, daughter and heir of Sir Nicholas Beke, by whom he left Maud his daughter and heir, who married first, William Ipstone, by whom she had issue William who died s.p., Christian, aged six the 1 Hen. IV., and Alicia, aged three; her second husband was Humphrey Peshall, and her third, Sir John Savage of Clifton.

TALBOT.—(4 EDW. III.)

WHETHER this ancient family was in England before the conquest, according to Mr. Lodge,* or only became settled there about that era, is of little consequence. It has flourished ever since in that high rank of nobility, and with the very rare instance of a continued race of male descendants to the present day.

* Irish Peer-
age v. i. p. 333.

Gilbert Talbot, in the time of Edw. I., having married Guentlian, daughter, and eventually heir of Rhue Ap Griffith, prince of South Wales, his son

Richard Talbot relinquished his own coat armour, and assumed that of his mother, viz: "*G., a Lion rampant within a Bordure, Or.*" Though not summoned as a baron to the parliament at Lincoln the 29 Edw. I., he nevertheless was one of those who affixed their seals to the memorable letter to the pope,—being written, "*Ricardus Talbot de Eccleswell.*"†

† Dugd. Lists
of Summ.

Gilbert Talbot, his son and heir, had summons to parliament the 4 Edw. III., as "*Gilbert Talbot*;" and in the same writ‡ is mentioned the name of "*Richard Talbot*." He was afterwards summoned by the same description to the 17 Edw. III.; and died circ. 20 Edw. III., leaving

‡ Ibid.

Richard Talbot his son and heir, who in his lifetime had also been summoned to parliament in and from the said 4 Edw. III.; and after his father's death to the 29 Edw. III., inclusive, shortly after when he deceased, the 30 Edw. III. He married Elizabeth, daughter and coheir of John Comyn, of Badenagh, by Joan his wife, sister and coheir of Aymer de Valence, earl of Pembroke;§ and left issue

§ Vide Dorm.
and Ext. Bar.,
vol. iii.

Gilbert Talbot, his son and heir, who had summons from the 36 Edw. III. to the 10 Ric. II., inclusive; and died the following year, 1387, leaving, among other issue,

Richard Talbot, his son and heir, who having married Ankaret, sister, and eventually

* Vide Strange of Blackmere.

sole heir of John baron le Strange, of Blackmere,* had summons to parliament vitâ patris, from the 7 to the 11 Ric. II., as "*Richardo Talbot de Blackmere Ch'r.*" It is rather singular that in the said writ of the 11 Ric. II. (having succeeded his father) he is twice mentioned; first as "*Richard Talbot de Goderche Castle;*" and secondly as "*Richard Talbot de Blakemere.*" but in the following years, to the 17 Ric. II., inclusive, as "*Richard Talbot de Goderiche Castle.*" He died in 1396, and was succeeded by his son and heir,

Gilbert Talbot, who had summons from the 5 Hen. IV. to the 5 Hen. V., as "*Gilbert Talbot,*" without any addition to his name. He was twice married; but by his first wife, Joan, second surviving daughter of Thomas Plantagenet, duke of Gloucester, had issue only a daughter Ankaret, who dying an infant in the fourth year of her age,† his honours, for want of surviving issue, devolved upon

† Lodge's Irish Peerage, Dug. vol. i., p. 328.

John Talbot, his next brother and heir; who having married Maud, eldest daughter and coheir of Thomas Neville lord Furnival, was summoned to parliament (vitâ fratris) from the 11 Hen. IV. to the 8 Hen. V., as "*Johanni Talbot D'n's de Furnyval;* and from the 3 to the 13 Hen. VI., as "*Johanni Talbot Militi.*" He was afterwards created earl of Shrewsbury by Hen. VI.; from which period his baronial honours became merged in the higher dignity, and so continued, till by the death of Gilbert, the seventh earl of Shrewsbury,‡ without issue male surviving (anno 1616) the earldom devolved upon his brother and heir male, Edward; and the baronies of Talbot, Strange of Blackmere, and Furnivall fell into abeyance between his three daughters and coheirs, viz: Mary, who married William, earl of Pembroke; Elizabeth, who married Henry Grey, earl of Kent; and Alatheia, who wedded Thomas Howard, earl of Arundel.

‡ Vide Banks' Dorm. & Ext. Baron, & Collins's Peerage.

The issue of Mary and Elizabeth failing, the abeyance is presumed to have become terminated, and the aforesaid baronies to be in abeyance between the coheirs general of the said Thomas, earl of Arundel, who now are the lords Stourton and Petre.

TALBOT OF RICHARDS CASTLE.

RICHARD TALBOT, a younger brother to Gilbert, who was summoned to parliament the 4 Edw. III., married Joan, daughter and coheir of Hugh Mortimer, of Richards Castle, in the county of Hereford, and in the partition of the inheritance acquired that seignory; but neither he nor any of his descendants were ever summoned to parliament. It is, nevertheless, to be considered, whether as Hugh de Mortimer was summoned to parliament the 25 and 27 Edw. I., provided those writs created a descendable barony, an interest therein is not vested in the heirs representative of the said Richard Talbot, of whom an account has been before given.§

§ Vide Mortimer.

TALBOYS.—(21 HEN. VIII.)

GILBERT TALBOYS was summoned to parliament the 21 Hen. VIII., as lord Talboys of Kyme; and then making his first entry into the parliament chamber, paid the demand made by the Garter king of arms for ordering the lords' seats, and registering their names.* He was son of Sir George Talboys, knt., lineally descended from Sir Henry Taylboys, by Elizabeth his wife, daughter and heir of Gilbert Burdon, (or Barrodon,) by Elizabeth his wife, sister and heir to Gilbert de Umfraville, earl of Angus,† and daughter of Robert, earl of Angus, by Lucy his wife, sister and heir to William baron de Kyme, in the county of Lincoln.‡

* Dug. Lists
of Summ. pp.
497—500.

† Vide Angus.

‡ Vide Kyme.

This Gilbert lord Taylboys married Elizabeth, daughter of Sir John Blount;^a and had two sons, George and Robert, who both died s. p., and a daughter Elizabeth, who became his heir. This lady married, first, Thomas Wimbish, esq.; and secondly, Ambrose Dudley, earl of Warwick, but had not any issue by either of her husbands; and as such, on her death, the barony created by the writ of summons to Gilbert her father became extinct: but such interest as he had in the ancient barony of Kyme devolved in abeyance between his three sisters, or their heirs representative; of which sisters, Elizabeth married Sir Christopher Willoughby, knight; Cecilia married, first, William Ingleby, of Ripley, in the county of York, esq.; and secondly, John Torney, esq.; Anne married first, Sir Edward Dymoke, knight; and secondly Sir Robert Carr, knight. In the partition of the lands, the old castle of Kyme came into the Dymoke family, and long continued in it, till in the last century, it was alienated into the possession of strangers. The present Sir Henry Dymoke is not the immediate heir to the Kyme barony, the Dymoke interest therein being vested in the family of Heywood; or if extinct, then in the heirs representatives of the sisters and coheirs of Champion Lewis Dymoke, who died in 1760, s.p.§

§ Vide Banks's
Hist. of Mar-
myun.

It is here to be observed that Mr. Wymbish having married the daughter and heir of Gilbert lord Talboys, claimed to be *jure uxoris*, lord Talboys; but upon solemn argument, the king himself being present, it was resolved—

“That no man, husband of a baroness, in her right should use the title of her dignity until he had a child by her, whereby he should become tenant by curtesy of her barony:” whereupon, Mr. Wimbish failed in his demand.

On this occasion it is said that the king moved this question, viz:—

“If the crown of England should descend to his daughter, whether her husband should use the style of England?”

^a She survived him, and remarried Edward Clinton, first earl of Lincoln; but by king Hen. VIII. had a natural son Henry Fitz Roy, whom his father created duke of Richmond in the seventeenth year of his reign, which intimates that the lord Talboys owed his creation to having married the king's concubine, his writ of summons being the 21 of Hen. VIII.

The Chief-justice answered: not by *right*—but by *grace*; because the crown of England is out of the law of curtesy; but if it were subject thereto, then it *was clear*.

TATSHALL.—(45 HEN. III., AND 23 EDW. I.)

EUDO, a Norman adventurer, acquired the lordship of Tatshall, in the county of Lincoln, temp. William the Conqueror, from which his family became cognominated. From him descended

Robert de Tatshall, who married Mabel, (or Amabel,) one of the sisters and coheirs to Hugh, the last Albini, earl of Arundel; and in the partition of the inheritance had the manor and castle of Buckenham, in the county of Norfolk. This Robert, according to Dugdale,* died 33 Hen. III., leaving Robert his son and heir aged twenty-six; who, paying one hundred pounds for his relief, had livery of his inheritance. This

* Baron vol. ii.
p. 440.

Robert de Tatshall (to follow the words of Dugdale) in the 54 Hen. III., upon partition of the lands of Ralph Fitz-Ranulph, lord of Middleham, in the county of York, had in right of *Joan his wife*, second of the three daughters of the said Ralph, the manor of Well, and a moiety of the woods belonging to the lordship of Snape, and died in the 1 Edw. I., seised of Buckenham, with the castle; as also of Tatshall, with the castle, &c., leaving

Robert de Tatshall, his son and heir, then twenty-four years of age, who doing his homage, had livery of his lands. This Robert died the 26 Edw. I.,* being seised of a moiety of the manor of Well, &c., in right of *Joan his wife, daughter and coheir of Ralph Fitz-Ranulph*, above mentioned,^a (who it is to be observed, he had before made the wife of his father) leaving Robert his son and heir, then aged twenty-four years, who in his childhood, took to wife Eve, the daughter of Robert de Tibetot, and the 26 Edw. I., doing his homage, had livery of his whole inheritance, saving to *Joan* his mother, her reasonable dower. He afterwards died the 31 Edw. I., leaving Robert his son and heir, *fifteen years of age*. Now, if Robert was only twenty-four years of age at his father's death, the 26 Edw. I., he could only have been in his thirtieth year at the time of his own decease, the 31 Edw. I.; when, to have left a son aged *fifteen*, must have been a very nimble course of generation. This son is said to have died the 34 Edw. I., s. p., when Dugdale proceeds to say, that Thomas, the son of Adam de Caily, then aged twenty-four; and Isabel, the wife of John Orreby, aged twenty-nine, were found his next heirs.

Through all this statement Dugdale has not once alluded to any one of the Roberts

^a A MS. pedigree, penes auctore, names her *Joan*, daughter of ——— Nevill.

having at any time been summoned to parliament, whereas it appears from the respective Clause Rolls,* that

Robert de Tatshall had summons to the parliament called by the king's writ to meet in London the 45 Hen. III.,† which Robert was probably the same who died the 1 Edw. I. After him, another

Robert de Tatshall is mentioned to have been summoned to parliament the 23, 24, and 25 Edw. I.,‡ and the name of Robert is also contained in the writ *equis et armis* to Carlisle the 26 Edw. I., where he is designated *a baron*; those then summoned being all distinguished by their respective rank of *comites vel barones*; but if he was dead in the said 26 Edw. I., the writ might refer to

Robert de Tatshall, his son, who had summons the 27, 28, and 30 Edw. I., and was one of those who in the parliament at Lincoln the 29 Edw. I., affixed his seal to the letter to the pope,§ being then styled "*Robertus de Tatteshalle, Dominus de Buckenham.*" § Ibid.

This Robert deceased, as before mentioned, the 31 Edw. I., leaving his early begotten son

Robert de Tatshall, who died 34 Edw. I., s.p., when the inheritance became divided, as recited by Dugdale, and in the heirs representatives of those coheirs, the barony, if any was created by the writs of summons, may probably be considered as now vested.|| But if the writs of summons from the 23 to the 30 Edw. I. be looked upon as relating to one and the same person, then the barony would be extinct.

Dugdale has omitted a third coheir, viz: Joan, who married ——— Driby, from whom descended the lords Cromwell, of Tatshall.¶

* Dugd. Lists of Summ.

† Vide Copy of the Writ in vol. ii.

‡ Dugd. Lists of Summ.

|| Vide Clifton, Cromwell, Kuevett, &c.

¶ Vide Cromwell.

THWENGE.—(22 Edw. I.)

OF this ancient family which were lords of Kilton castle, in Cleveland, in the county of York, was

Marmaduke de Twenge, who married Lucia, one of the sisters and coheirs of Peter, the last Brus baron of Skelton, in the county of York, and had summons to parliament the 22 Edw. I., but no more. By the said Lucia de Brus his wife, he had issue several sons, whereof the eldest,

Robert de Twenge, never had summons to parliament, and died leaving a daughter and heiress Lucie, who married William le Latimer, from whom she was divorced, and afterwards married Nicholas de Meinill, or rather, as it is said, was his concubine, and had by him a bastard son Nicholas.** She was again married to, or became the concu- ** Vide Meinill

bine successively of, Bartholomew de Fancourt and Robert de Everingham.

Marmaduke de Twenge, brother and heir male to Robert, was a famous soldier, and

* Vide copy of writ in vol. ii.

a person of special note in his time, and had summons to parliament from the 35 Edw. I.* to the 16 Edw. II., inclusive, about when, or shortly after, he died, leaving by Isabel his wife, daughter of Robert de Ross, of Igmanthorpe, three sons, viz: William, Robert, and Thomas; and also three daughters, Lucy, Margaret, and Catherine. Of the sons,

William de Thwenge had summons the 18 Edw. II., but never after, and died the 15 Edw. III., s.p., leaving

Robert de Thwenge his brother and heir, who was a priest, and died soon after in the 18 Edw. III., being succeeded by

Thomas de Thwenge his next brother, also a priest, and rector of the church of Lythum, where he founded a chantry in the parochial church for twelve priests to pray for the souls of himself and ancestors, and the souls of William, Robert, *John*, and *Nicholas*, his brothers, being the only mention made that he had such brothers, who probably died young in their father's lifetime. He died the 48 Edw. III., when the descendants of his three sisters, whereof Lucy married Sir Robert Lumley, knight; Margaret, Sir Robert de Hilton, knight; and Catherine, Sir Ralph D'Aubenie, knight, became his coheirs, and in their heirs representative the barony of Thwenge may be considered vested in abeyance.†

† Vide Lumley case of Dr. Lloyd.

TIBETOT.—(1 Edw. II.)

‡ Rolls of Parl. vol. i., p. 224. ROBERT DE TIBETOT, in the 6 Edw. I., is recorded‡ to have been in the parliament at Westminster, in that year when Alexander, king of Scotland, did homage to king Edward.^a He was also in that parliament the 18 Edw. I., when the barons granted to the king such aid for the marriage of his daughter, as his father, king Henry, had in time before;§ but there is not upon record any writs of summons to the said parliaments.^b

§ Ibid. p. 25.

This Robert died circ. the 26 Edw. I., and was succeeded by his son

Pain de Tibetot, who had summons to parliament from the 1 to the 7 Edw. II., and by Agnes his wife, daughter of William de Ross, of Hamlake, left

John de Tibetot his son and heir, who was summoned from the 9 to the 39 Edw. III., inclusive, and died the 41. He married Margaret, sister and coheir of Giles lord Badlesmere, by whom, in the division of that great inheritance, he considerably increased his estate. His eldest son John having predeceased him, he was succeeded by

^a Quinzim de St. John Baptist (1278) the Statutes of Gloucester were made 4 October.—(Parliamentary Report of the commencement, adjournment, and prorogation of parliaments from the 9 Hen. III. to the 2 William and Mary, anno 1690).

^b Post Festum St. Hillarii et post Pascha (1290) parliament at Clyston à die St. Michaelis in unum mensem.—(Ibid.)

Robert, his next surviving son and heir; which Robert was summoned in the 42 and 44 Edw. III.; and deceased the 46, leaving Maud^a his wife, daughter of William lord Deincourt surviving, and three daughters his coheirs, viz: Margaret, who married Roger, second lord Scroope, of Bolton, lately represented by Charles Jones, esq., (deceased 1843); Milicent, who married Stephen le Scroope, (brother to Roger,) represented by William Scroope, of Castlecomb, in the county of Wilts, esq.;^b and, Elizabeth, who married Philip le Despenser,^c represented by the now baroness of Wentworth; and Anne Isabella lady Byron.

TIBETOT—(4 HEN. VI.) EARL OF WORCESTER.—(27 HEN. VI.)

JOHN DE TIBETOT, son and heir of Pain de Tibetot, a younger son of John de Tibetot, by Margaret de Badlesmere, (but according to Blore, not by her, but by another wife, Elizabeth, widow of Sir Thomas Wauton,) had summons to parliament from the 4 to the 20 Hen. VI., as "*Johanni Tiptoft Cl'pr.*" Dugdale affirms that he bore the title of "*Lord Tiptoft and Powys*:" yet the writs of summons never mention him by that latter designation;* though it is probable his being called to parliament was in consequence of his having married Joice, one of the sisters and coheirs of Edward baron Cherleton, who was lord of Powys, in Wales;† by which marriage he obtained a considerable inheritance. He died the 21 Hen. VI.; and was succeeded by

John de Tiptoft, (or Tibetot,) his son and heir, then in minority; who was created earl of Worcester the 27 Hen. VI., having just become of age. He was a person of very great acquirements, and held many high offices in the time of Hen. VI. and Edw. IV. and was a Knight of the Garter: yet, after all, having become obnoxious to the Lancastrians, and acquired the envy of the Yorkists, he fell a sacrifice to party,‡ and was eventually beheaded on Tower Hill, and buried at the Black Friars, in London, the 10 Edw. IV. He was twice married; first to Elizabeth, daughter of Robert Greyndour, by whom he had a son John, who died the day he was born—as did his mother; his

^a This Maud is called Margaret by Hunter in his Deanery of Doncaster, (vol. i., p. 325), who states that she is said to have remarried John Cheney.

^b His only child Emma Phips Scroope married, in 1821, George Julius Buncombe Powlett Thompson, esq., who thereupon had the royal licence to take the name of Scroope.

^c Leland and Collins assert that she married, first, William le Scroope, earl of Wiltshire, and secondly, Philip le Despenser. In Blomfield's Norfolk, (folio edition, vol. v., p. 1550) Margaret Tibetot is said to have remarried John Nicandser, and Milicent Tibetot to have remarried Sir John Falstoff, K.G., the espousals being made in Ireland, when Sir John and Sir Gilbert Umfravill were bound in a bond to Stephen Scroope, archdeacon of Richmond, to pay her one hundred pounds a year for life.

* Dugd. Lists of Summ.

† Vide Cherleton.

‡ Vide Banks' Dorm. & Ext. Baron., vol. ii.

* Hearne's
Lib. Nig., v. ii.,
p. 511.

second wife was Elizabeth, widow of Sir Roger Corbet, daughter of Thomas, and sister to Sir Walter Hopton, and one of the heirs of Sir William Lucy, knt.,* by which wife he had issue Edward, his son and heir, but having been attainted his honours were forfeited.

† Vide Roos.

‡ Vide Montague.

§ Vide Dudley.

Edward de Tiptoft, his said son and heir, was restored in blood, but he died unmarried in 1485, whereby his aunts (sisters to John his father) became his coheirs, viz.: Philippa, who married Thomas lord Roos, represented by the present lord de Roos, and the other coheirs of the barony of de Roos;† Joan, who married Sir Edmund Ingoldes-thorpe, represented by the coheirs of John Nevill, marquess of Montague;‡ and Joice, who married Edmund, son and heir of John lord Dudley, represented by the coheirs of the barony of Dudley.§

MEMORIALS OF THE TIPTOFTS,

In the Grey Friars, at Norwich, founded by the lord Tiptoft.

Buried—Sir Robert Tiptoft, knt., and Dame *Una*, his wife; Sir Robert Tiptoft, the younger; Margaret, wife of Sir John Tiptoft; Robert Tiptoft, Esq.; Elizabeth Lady Spencer, wedded to Sir Philip Spencer, daughter of Robert Tiptoft; Philip, George, and Elizabeth, children of Sir Philip Spencer; Joan, daughter of Sir Hugh Spencer.

DEANE MICHAEL, Co. GLOUC.

JOHN TIPTOFT, earl of Worcester, married Elizabeth, daughter of Robert, only son of Sir John Greyndour, on whose attainder and death, in 1471, the manor reverted to Alice, second wife of Thomas Baynham, daughter of William Walweyne, grandson of Sir John Greyndour.

TONI.—(27 EDW. I.)

RALPH DE TONI is said to have been standard bearer to William the Conqueror, at the great and decisive battle of Hastings, and as a reward for his eminent services had given to him divers lordships in several counties; from him descended

|| Dugd. Lists
of Summ.

¶ Coron. Rot.
1 Edw. II.,
vide vol. ii.

** Dugd. Lists
of Summ.

Robert de Toni, who the 26 Edw. I. had summons *equis et armis* to Carlisle, and in the writ is denominated a baron, those summoned on that occasion being all styled by their respective ranks of *comites vel barones*.|| He had afterwards summons to parliament from the 27 Edw. I. to the 4 Edw. II. inclusive, and was summoned to that king's coronation.¶ In the parliament at Lincoln, the 29 Edw. I., he was one of those eminent persons who affixed their seals to the letter written by the barons to the pope,** by the designation of

"*Robertus de Tonny Dominus de castro Matildis.*" [He died circ. 4 Edw. II., s.p., leaving Alice, his sister and heir, who married, first, Thomas Leybourne; secondly, Guy de Beauchamp, earl of Warwick, and surviving him, is said to have married thirdly, William le Zouche, of Ashby. Dugdale has not noticed this Robert to have been ever summoned to parliament; but Banks, in his *Baronage*,* has remarked this, and mentioned the several parliaments to which he was summoned; this remark Sir Harris Nicolas in his *Synopsis*,† has adopted as a shrewd observation of his own.

* Dorm. and Ext. Bar., v.i., p. 421.

† Vol.ii.,p.645

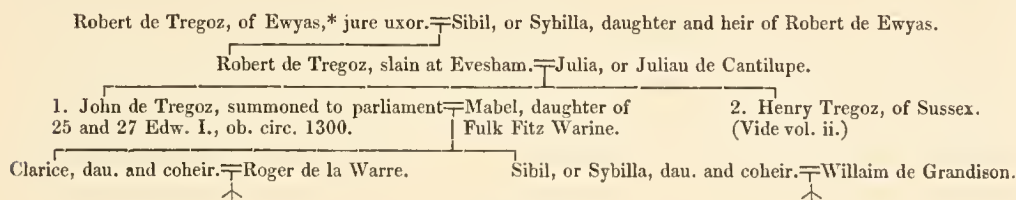
TREGOZ.—(25 Edw. I.)

ROBERT TREGOZ had summons to that parliament called by the king's writ to meet in London the 45 Hen. III.‡ He was afterwards slain in the battle of Evesham. His son

John de Tregoz had summons to parliament in the 25 and 27 Edw. I., but no more, and died leaving two daughters his coheirs, viz: Clarice, who married Roger de la Warre,§ and Sybil, who was wife of Sir William Grandison.

‡ Copy of Writ in vol. ii.

§ Vide De la Warre, and Grandison.



* Vincent, p. 285.

TRUSSEL.—(22 Edw. I.)

WILLIAM TRUSSEL is mentioned among those who had summons to parliament the 22 Edw. I.;|| but the name does not again appear in any writs of summons till the 16 Edw. III., when another

|| Dugd. Lists of Summ.

William Trussel (for from the length of time he cannot be considered the same person) had summons with divers earls and barons to attend a great council to be holden at Westminster,¶ but which is not called a parliament, though the words of the writ import it to be, to give advice on the urgent affairs of the realm. His name however is not again recited in any subsequent writs of summons, so that it cannot be inferred that any inheritable barony was acquired under, or by virtue of, either of the said writs of summons, and in such respect a further account of the family appears unnecessary.**

¶ Ibid.

**Vide Bank's Dorm. & Ext. Baron.

TUCHET.—(28 EDW. I.)

WILLIAM TUCHET had summons to parliament from the 28 to the 35 Edw. I. In the 26 Edw. I. he had summons to Carlisle *equis et armis*, and in the writ he is styled a baron,* as all who were then summoned were distinguished by their respective ranks. In the 29 Edw. I. he was one of the barons who in the parliament at Lincoln affixed their seals to the letter then written to the pope, being styled "*Willielmus Touchet Dominus de Levenhales*." But his name is not included in any writs of summons after the 35 Edw. I. It is presumed that he was ancestor to Sir John Tuchet, who married the coheirress of Audley,† or that they were of the same family; but the connexion has by no means been ever clearly shown. It is most probable that the immediate line of this William merged in female heirs.

* Dugd. Lists of Sum.

† Vide Audley

HENRY DE TYES.—(22 EDW. I.)

THE origin of this family is much controverted by Hornby in his animadversions on Dugdale's Errors;‡ but whether Hornby or Dugdale be the most correct is of little consequence as regards the period when it first obtained baronial rank by being called to parliament.

‡ P. 241, et sequens.

Henry de Tyes had summons to parliament the 22 Edw. I., and from thence to the 1 Edw. II. In the 26 Edw. I. he had summons *equis et armis* to Carlisle, and by the name of "*Henr' Tyeis*" is styled a baron, those who were then summoned being all distinguished by their respective ranks.§ In the 29 Edw. I., by the denomination of "*Henricus de Tyes Dominus de Chilton*," he was one of those who in the parliament at Lincoln subscribed the letter to the pope,|| after when he died circ. 1 Edw. II., and was succeeded by his son

§ Dugd. Lists of Sum.

|| Ibid.

Henry de Tyes, who had summons from the 6 to the 14 Edw. II., but being concerned in the insurrection under the earl of Lancaster, he, with that earl, and divers other eminent persons, was taken prisoner at Boroughbridge, and was executed for his treason, at London, anno 15 Edw. II., leaving Alice his sister and heir, who married Warine de Lisle, in whose coheirs descendants the representation of this barony, if not affected by the aforesaid execution is now vested.¶

¶ Vide Lisle.

WALTER DE TYES.—(27 EDW. I.)

OF this Walter no mention occurs as to his connection with the family of Henry de Tyes,** or whether of a distinct origin. He married Isabel de Steingreve, (or Steingrene)

** Vide Hornby, pp. 245-6.

daughter of John de Steingreve,* (or Steingrene) by Ida his wife, one of the coheirs of Joan de Beauchamp, coheiress of the last Beauchamp, baron of Bedford.† In the 26 Edw. I. he had summons to Carlisle equis et armis, and in the writ, where all summoned were distinguished by their respective ranks,‡ was styled *a baron*. In the 27 Edw. I. he had summons to parliament, and from thence to the 1 Edw. II. inclusive, as also to the coronation of that king.§ In the 29 Edw. I. in the parliament at Lincoln, by the description of "*Walterus de Tye, Dominus de Stangrove*," he affixed his seal to the letter then written to the pope. He died s.p. circ. 18 Edw. II.,|| leaving his niece Margaret, daughter of his brother Roger de Tyes, his next heir; but the barony created in him became extinct. Dugdale has not noticed this Walter de Tyes to have been ever summoned to parliament, though in his Lists of Summons he has included his name.

* Vide Steingreve, vol. ii.

† Vide Banks, Dorm. & Ext. Baron., vol. i.

‡ Dugd. Lists of Summ.

§ Coron. Rol in vol. ii.

|| Orig. 18 Ed. II., Rot. 3, Bedf.

UFFORD.—(2 EDW. II.)

OF this family, according to Dugdale and other authorities,¶ Robert, a younger son of John de Peyton, of Peyton, in the county of Suffolk, becoming possessed of the lordship of Ufford, in the said county, therefrom assumed his surname, which

Robert de Ufford was for sometime Justice of Ireland, and died the 26 Edw. I., leaving by Mary his wife, widow of William de Say, Robert his son and heir, and Thomas a younger son, (unnoticed by Dugdale), who married Eve, daughter and heir of John baron de Clavering.** The said

¶ Camden, Collins, &c., in Peyton, bart.

** Vincent.

Robert de Ufford had summons to parliament the 2, 3, 4, and 5 Edw. II., being the first of his family in the character of a baron. He died the 10 Edw. II., having married Cecily, one of the daughters and coheirs of Robert de Valoines, by whom he had issue Robert his son and heir, Ralph, and Edmund,*† and another son who was archbishop of Canterbury, elect, but whose name is not mentioned by Dugdale.

*† Dugd. Bar. vol. ii., p. 47.

Robert, the eldest son and heir, was summoned to parliament from the 6 to the 10 Edw. III., and in the following year was, by charter dated the 16 March,*‡ 1336, created earl of Suffolk, with an habendum "*sibi et hæredibus suis*," thereby conferring upon him an earldom descendable to his heirs general. He was a person of high note, eminent talents, and of great prowess,—very popular, in great favour with his sovereign, and seldom out of some distinguished employment. He married Margaret, daughter of Sir Walter de Norwich,*§ and had issue Robert his eldest son and heir apparent, who died before him s.p., having been summoned to parliament (or great council)*|| the 16 Edw. III., by the description of "*Robertus le Ufford le Fitz*." He had issue also two other sons, viz: William his successor, and Thomas*¶ who died s.p., and three daughters hereafter mentioned. Upon his death the 43 Edw. III., he was succeeded by

*‡ Chart. 11 Edw. III., nos. 51 & 52.

*§ Vide Norwich.

*|| Dug. Lists of Summ.

*¶ Milles and Yorke's Union of Honor, p. 282.

William de Ufford his eldest surviving son, the second earl, who in his father's lifetime had been summoned to parliament the 38 and 39 Edw. III. This earl like his father was a very popular man, and much regarded by the nation and the king, and died very suddenly as he was ascending into the parliament chamber, the 15 February, the 5

* Esch. no. 57. Richard II., anno 1381.* He was twice married, first to Joan, daughter of Edward de Montacute, by Alice his wife, daughter and coheir of Thomas of Brotherton, earl of Norfolk, and secondly to Isabel, daughter of Thomas de Beauchamp, earl of Warwick. By his first wife he is said† to have had four sons, viz: Robert, Thomas, William, and Edward, who all predeceased him s.p.,^a whereby on his decease s.p.s., his sisters became his coheirs, of which

† Milles,
Brooke, and
York's Union
of Honor.

Cecily de Ufford married John lord Willoughby of Eresby, represented by the present lord Willoughby and the marquess of Cholmondeley; Catherine de Ufford married Robert lord Scales;‡ and Margaret de Ufford married William lord Ferrers, of Groby.§

‡ Vide Scales.

§ Vide Ferrers
of Groby.

Thus the barony of Ufford fell into abeyance between the heirs general representative of these three ladies; and the earldom of Suffolk, by virtue of its charter of creation, and limitation to Robert de Ufford, habendum "*Sibi et heredibus suis*," must be considered to be similarly vested; although no peerage author has hitherto made any remark thereon. The late decision of the earldom of Devon|| forms a precedent that the descent of a title must be guided by the words of the charter, or patent, which first created the dignity.

|| Vide Devon.

JOHN DE UFFORD.—(34 Edw. III.)

¶ Synopsis,
vol. ii., p. 654.

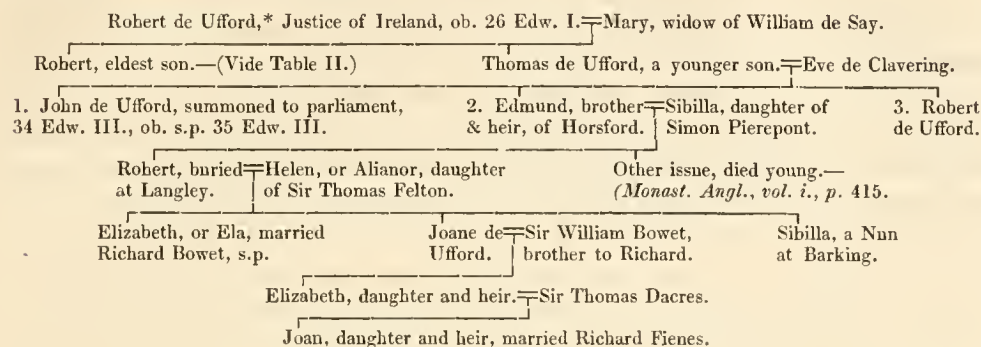
JOHN DE UFFORD, called by Dugdale, and adopted by Sir Harris Nicolas,¶ son of Ralph de Ufford, (brother to Robert, first earl of Suffolk,) by Eve his wife, daughter and heir of John baron de Clavering, had summons to parliament the 34 Edw. III., but died the year following, s.p., leaving Edmond de Ufford his brother and heir.**

** Esch.,
35 Edw. III.

This statement is, however, controverted by Vincent, who says this John was son of Thomas, a younger son of Robert, the justice of Ireland, who was grandfather of Robert, the first earl of Suffolk, and which Thomas, and not Ralph, married the said Eve de Clavering. This, indeed, appears evident from the Clause Rolls of the 2 Edw. II.; which recites, viz: "*Thomas de Ufford et eandem Evam quam idem Thomas duxit in uxorem nono die Martii a^o 2^{do}.*" It is also evident that Ralph could never be the husband of Eve, inasmuch as he died in the lifetime of Maud de Lancaster, (the widow of William de Burgh, earl of Ulster,) whom he married; and by her had a daughter Maud, who mar-

^a Vide Vincent's severe animadversions upon Ralph Brooke, in the article of Suffolk, p. 498.

ried Thomas, earl of Oxford. Thus, if Eve had been a former wife, she must have died before him; and if she had been his second wife (as said by Dugdale,) he could not have deceased before the said Maud.



* Vincent, 396 in Coll. Arm.

MEMORIALS OF THE UFFORD FAMILY.

Grey Friars, Norwich.—(Weever, 750.)

Dame Elizabeth, wife of Sir Thomas Ufford, daughter of the earl of Warwick.

The heart of Dame Petronil Ufford; Dame Margery, aunt of Sir Robert Ufford; Elizabeth Ufford.

Campsey.—(Ibid. 775.)

Maud, sister to Henry, earl of Lancaster, first married to William de Burgh, earl of Ulster; and after to Ralph de Ufford, C. J. of Ireland, founded a chantry, to pray for the souls of the said William de Burgh, and Ralph de Ufford, whose body was here interred.

Woodbridge.—(Ibid. 752-3.)

Buried in the Priory Church, viz, Joan St. Philibert, daughter of the earl of Suffolk; Sir Robert de Ufford, and Dame Cecily his wife; Robert de Ufford, earl of Suffolk, and Dame Margaret his wife; Sir William de Ufford, second earl of Suffolk, and Isabel his wife.

Langley.—(Ibid. 825-6.)

Sir John Clavering obiit 1332; Sir John Ufford; Sir Robert Ufford; Sir Thomas Ufford; Sir James Audley; Dame Agnes Clavering; Dame Eve Audley; Dame Joan, daughter of Sir Robert Ufford, uxor Williemi Bowet; Sir Edmund Ufford; Sibilla, wife of Sir Edmund Ufford.

Augustine Friars.—(Weever, 804.)—Sir Robert Ufford.

Black Friars, Dunwich.—(Ibid. 720.)

Sir Ralph Ufford, and Dame Joane his wife; Dame Joan Neyland, sister of the earl of Suffolk.

Canterbury.—(Ibid. 222.)

Here lieth obscurely buried John Ufford, brother to Robert, earl of Suffolk, Archbishop of Canterbury, but died of the plague before he received the Pall, or Consecration, June 7, anno 1348; Andrew Ufford, Arch-Deacon of Middlesex, was his Administrator.

TABLE II.

Robert de Ufford, Justice of Ireland, ob. 26 Edw. I. = Mary, widow of William de Say.					
Robert de Ufford, summoned to parliament 2 Edw. II., ob. 10 Edw. II.		= Cecily de Valoines.	Thomas de Ufford, a younger son, married Eve de Clavering.		
Robert, created Earl of Suffolk; ob. 43 Edw. III.	= Margaret, dau. of Sir Walter de Norwich.	John, Archbishop of Canterbury, ob. 1348.	Ralph,* ob. 20 Edw. III.	= Maud, widow of William, Earl of Ulster.	Edmund, named in his brother's will.
Robert, ob. vi. pat.s.p.	1. Joan, dau. of Edward de Montacute.	= William, second Earl of Suffolk, ob. 5 Ric. II.	= 2. Isabel de Beauchamp.	Thomas, s.p. Cecily mar. John Lord Willoughby. Catherine mar. Robert Lord Scales. Margaret m. William Lord Ferrers of Groby.	Maud = Thomas Earl of Oxford.
Robert.	Thomas.	William.	Edward.	Robert,† Earl of Oxford, ob. s.p.	
(All died vitâ patris without issue.)					

* It would appear from Blomfield's Norfolk that he had a son John Ufford, rector of Hingham, who by his will left a legacy to his sister Maud, a nun at Campsey.

† In the work intitled "Collectanea Topographica et Genealogica," it is questioned how upon the death of this earl Robert s.p., Sir Robert Willoughby could be heir to Maud, countess of Oxford; but it may be readily seen by referring to this pedigree.

UGHTRED.—(17 Edw. III.)

UCTREDUS, supposed to be of Saxon origin, held lands in Scardeburgh (now Scarborough temp. Hen. III., from whom descended

Robertus Ughtereth, who, the 24 Edw. I., had summons to attend at Newcastle-upon-Tyne, equis et armis, and to a great council to be there holden:* to whom succeeded

Thomas Ughtred his son, who during a great part of the reigns of Edw. II. and III. was famous for his services in the wars with Scotland, and had summons to parliament

from the 17 to the 38 Edw. III.,† in the year following of which he died, leaving by Margaret his wife, daughter and heir of Brian Burdon, lord of Kexby,‡ in the county of York, which manor was thereby acquired.

* Dug. Lists of Summ.

† Ibid.

‡ Dodsw. MS. in Bodl. Bib. ap. Oxon.

Thomas Ughtred his son and heir, who was also a military man of much renown, but was never summoned to parliament. He died the 3 Hen. IV., leaving Thomas the son of William, who died in his lifetime, his grandson and heir, which

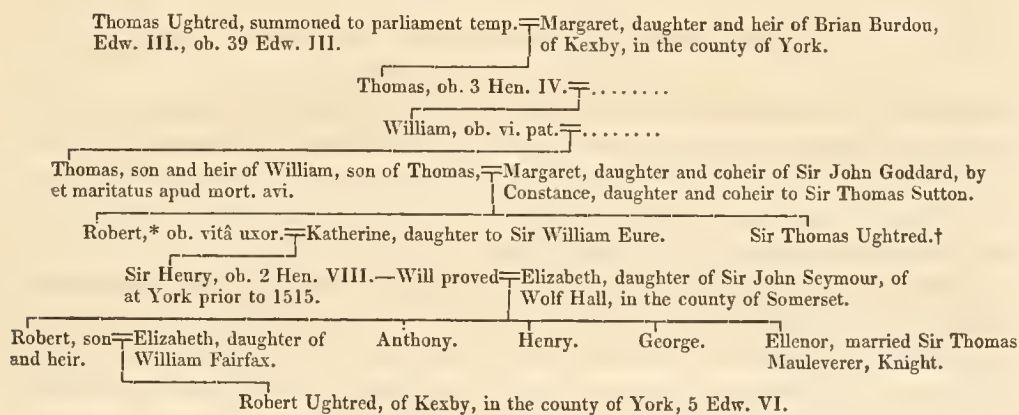
Thomas Ughtred never had summons to parliament. He married Margaret, daughter and coheir of Sir John Goddard by Constantia his wife, one of the daughters and coheirs of Thomas de Sutton, of Holdernes, (the relict of Peter de Mauley),* and had issue two sons, Robert and Thomas, which Robert died temp. Edw. IV., leaving issue, Henry his son and heir; but as none of the family were ever after summoned to parliament it is not necessary to continue their descent, only observing that if Thomas Ughtred, by his repeated writs of summons, temp. Edw. III., acquired thereby a descendable barony, the same is vested in his heirs representative, together with a coheirship in the barony of Sutton of Holdernes.†

* Vide Mauley and Sutton in vol. ii.

† Vide Sutton vol. ii.

In the will of Sir Henry Ughtred, knight, of Kexby, proved previous to 1515, he names Anthony Ughtred his son, Henry and George his sons, and Robert his son and heir, and brother William Fairfax, who by such expression may be considered to mean *brother in law*.

UGHTRED.—(17 EDW. III.)



* Robert Ughtred, Ch'r, consang. et hæres Thomæ Sutton, Militis, Mich. Fines 26 Hen. VI.—(Ex. MS. in Bib. Bodl. apud Oxon.)

† Thomas Ughtred, Ch'r, consang & hæres Jo. Goddard, Ch'r. recupacoem Term. Trin. 24 Hen. VI.—(Ibid.)

UMFRAVILLE.—(VIDE ANGUS.)

VALENCE.—(25 EDW. I.)

AYMER DE VALENCE, son and heir of William de Valence, who married Joan, sister and heir of William de Montchensy,‡ (which William de Valence was son of Hugh le

‡ Vide Montchensy.

Brun, earl of Marche, in France, by Isabel his wife, widow of king John, and mother of king Henry III.), had summons to parliament from the 25 to the 35 Edw. I.,* as "*Adomarus de Valencia*," and in the 29 Edw. I. was one of those who in the parliament at Lincoln subscribed the letter to the pope, being then styled "*Adomarus de Valencia Dominus de Montiniaco*;"†^a but though his father, William de Valence, is said to have been created earl of Pembroke, he did not have that title upon his father's death, in 1296, (23 Edw. I.) but appears to have first had it in the 1 Edw. II., when by writ of summons he was called to parliament‡ as "*Adomari de Valenciâ Comiti Pemb'*," and by the same description to the coronation of that king.§ He was much in the royal favour, but not popular to the nation. He was thrice married, but had not issue by any of his wives, and dying the 17 Edw. II., s.p., his titles became extinct, and the inheritance divided among his sisters and coheirs, or their representatives; of these sisters,

* Dugd. Lists of Summ.

† Ibid.

‡ Ibid.

§ Vide Coron. Rot. in vol. ii.

|| Vide Hastings.

Isabel de Valence married John lord Hastings;|| Joan was wife of John Comyn, lord of Badenagh; and Agnes (or Anne) married, first, Maurice Fitz Gerald, next, Hugh de Baliol, and lastly, John de Avennes, but is said not to have had issue by any of these husbands.

VAUX OF HARWEDON.—(15 HEN. VIII.)

NICHOLAS VAUX, a descendant from the ancient house of Vaux, baron of Gillesland, in the reign of king Stephen, was according to Dugdale,¶ created a baron of the realm, by the title of baron Vaux, of Harwedon, the 15 Hen. VIII.; the solemnity of his creation being upon the authority of Stow, at the palace of Bridewell. By this statement it would seem that he was created by patent, and that Dugdale so considered it, as he recites it in that part of his Baronage which specially treats only of persons so created.^a He however never took his seat in parliament as he died the same year, before any parliament was holden. But if the solemnity of his creation took place at Bridewell, it is evident he was not created by summons to parliament; and as he died so soon after his said creation, there could not be any barony descendable to his son and heir, as derivable from any writ of parliamentary summons. The Journals of the House of Lords are wanting from the 7 to the 25 Hen. VIII., therefore there is not any evidence that this Nicholas Vaux was a peer of the realm; and the manner in which he was so created being only stated by Dugdale, on the authority of Stow, is not supported by any patent to be found recorded, or enrolled.

¶ Baron., vol. ii., p. 304, citing Stow.

^a This may very likely be meant for the barony of Montchensy, which the Hastings family as heirs to Valence assumed among their titles, though Montchensy was never a parliamentary barony.

^b These kind of creations appear to have been by investiture; the person intended to be created being then introduced in the robes of the rank meant to be conferred upon him, which was formally expressed after, either by letters patent, charter, or summons to the next ensuing parliament.

Thomas Vaux, his son and heir, was present in parliament the 27th of January, the 25 Hen. VIII.,* from which it is presumed that he must have had a summons antecedently to that time, although no evidence of such writ is now to be found among the records. After this period his name is included in the general writs of summons during the remainder of the reign of Hen. VIII., and the reign of Edw. VI.; but it does not appear that he sat in parliament after the 25 Hen. VIII. till the 1 queen Mary, in whose fourth year he deceased, leaving

* Vaux case
Cor. Dom.
Proc.

William Vaux, his son and heir, who the 20th of January, the 4 and 5 Philip and Mary, delivered his writ of summons, and sat first in parliament.† He was succeeded on his death, 37 queen Elizabeth (1595) by

† Lords' Jour.

Edward Vaux, his grandson and heir (son of George who predeceased him) who died in 1661, without legitimate issue, leaving

Henry Vaux, his brother and heir, to whom, in his will,‡ he left a legacy of ten pounds, having by deed of settlement in 1646 settled his family estates, after a life use to himself, and the countess of Banbury his wife, on Nicholas, son of the said countess; theretofore called Nicholas Vaux; or by whatsoever name or description the said Nicholas be, or hath been called, reputed, or known. This Nicholas, with another son Edward, were considered sons of the said Edward lord Vaux, born of the infamous countess, his wife,^a in the lifetime of her husband William, earl of Banbury.§ Thus Henry his brother was deprived of the family estates; and dying s. p., the male line of Vaux^b became extinct; and his sisters, or their representatives, became his coheirs general.

‡ Vaux case.

§ Vide Banks'
Dorm. & Ex.
Bar., vol. iii.,
p. 44.

Of these sisters, Mary married Sir George Simeon, represented by Charles Mostyn, of Kiddington, in the county of Oxford, esq., sole heir; Joyce, a nun, died in 1667; and Catherine married Sir Henry Neville, afterwards lord Abergavenny, represented by Robert, earl of Pembroke, and Edward Bouchier Hartop, esq., coheirs to the barony of Vaux, in abeyance; but this abeyance has been determined on claim referred to the house of lords, in favour of Mr. Mostyn, as may be more fully seen in Lodge's Annual Peerage, and other printed peerages of the day.

^a She is said to have destroyed the patent of creation of Nicholas Lord Vaux (which was never enrolled) together with divers deeds relating to the entailed estates, to secure them to her bastard sons, and thereby prevent Henry the last lord succeeding to them.

^b He was buried at Eye in Suffolk, with this inscription:

“Exiit Ultimus Baronu' de Harrowden

+ Henricus Vaux +

Sept. 20, Anno D'ni MDCLXIII.

+

VAVASOR.—(27 EDW. I.)

WILLIAM LE VAVASOR (or Vavasour) was summoned to parliament from the 27 Edw. I. to the 6 Edw. II. inclusive; but his name is omitted in Dugdale's Index, though contained in his Lists of Summons for those respective years.* In the 26 Edw. I. he had summons to Carlisle, *equis et armis*, and in the writ was styled a baron, as those summoned at the same time were all distinguished by their several titles of *comites vel barones*. He was also summoned to the parliament at Lincoln, the 29 Edw. I., but was one of those who did not affix their seals to the letter to the pope:† he was likewise summoned to the coronation of Edw. II.‡

* Dugd. Lists of Summ.

† Ibid.

§ Coron. Rot. in vol. ii.

§ Baronetage, vol. ii., p. 130.
|| Glover, 207.

¶ Orig. 23 Edw. I., Rot. 13.

** Esch. no. 40.

*† Collins & Minster MS.

*‡ Esch. no. 60.

*§ Harl. MS. no. 807.
*|| Vol. ii., pp. 219 & 220.

Dugdale states him to have been son of Robert le Vavasor, by Juliana, daughter of Thomas de Multon; but, according to Collins,§ he was son of John le Vavasor, by Alice, daughter of Robert de Cockfield,|| which seems confirmed by a MS. pedigree of the family, in the minster library, at York, as also the Originalia Record,¶ that as son and heir of Alice, he did homage for the lands of his mother, which she held of the barony of Bâieux.

The said William le Vavasor died the 6 Edw. II.** His wife was Nichola, daughter of Sir Stephen, and sister to Sir Richard Waleys, of Newton, by whom he had three sons, Robert, Henry, and William,*† but neither appear to have been ever summoned to parliament.

Robert le Vavasor, the eldest son, died the 16 Edw. II.,*‡ having had issue two daughters, Elizabeth and Anne; whereof, Elizabeth married Robert Strelley, of the county of Nottingham.*§ In Thoresby's edition of Thoroton's Nottinghamshire, he mentions,*|| that Sir Robert Strelley (aged thirty the 12 Edw. I.) married Elizabeth, daughter and heir of William Vavasor, of Shipley, in the county of Derby, from whom descended John Strelley, aged forty, the 4 Hen. VII., who left four daughters and coheirs; whereof, Isabella, the eldest, married Clement Low, and had a daughter and heir, who married William Sacheverell, second son of Sir Henry Sacheverell, of Morley, in the county of Derby; from whom, by an heir female, descended the late Sacheverel Chandoz Pole, esq., of Radborne, in the county of Derby,

WALTER VAVASOR.—(7 EDW. II.)

COTEMPORARY with the before mentioned William, was, according to Dugdale,

Walter le Vavasor, who was in the wars of Scotland, and had summons to parliament the 7 Edw. II.,*¶ but never after. Who he was, or how, if at all related to William, is in no respect noticed by Dugdale, nor is in any mention to be found in any of the printed

*¶ Dug. Lists of Summ.

baronetages of the family, of the name of Walter, at that period of time: but these baronetages state, that Robert le Vavasor was in the wars of Scotland, and had summons to parliament the 7 Edw. II.* This leads to an inference that in the summons of that year, the name of *Walter* is misprinted for *Robert*, in the writ; which Robert was (as before mentioned) eldest son of William the baron.

* Collins, vol. ii., p. 131.

VERDON.—(22 Edw. I.)

BERTRAM DE VERDON, (probably so named from a town in France),^a at the time of the general survey held Farnham Royal, from whom descended

Nicholas de Verdon, who dying s.p.m., left Rohese his daughter and heir, which lady married Theobald le Boteler, but being a very great heiress retained her own name, which was continued by her posterity. She died circ. 1247, leaving

John de Verdon her son and heir, who married, first, Margaret, daughter to Gilbert, and heir of Walter de Lacy, whereby the castle of Webbeley, in the county of Hereford, was brought into the family. His second wife was Alianore, daughter of ———, whom he left his widow at his decease the 2 Edw. I.†

† Esch. n. 34.

Theobald de Verdon, his son and heir, was present in the parliament of the 18 Edw. I., when an aid was granted for the marriage of the king's eldest daughter.‡ In the 26 Edw. I. he had summons equis et armis to Carlisle, by the designation of "*Thebaud de Verdon le Peer*," his son being in the same writ summoned as "*Thebaud de Verdon le Fuiz*," both being denominated barons.§ as all then summoned were distinguished by their respective ranks. In the 29 Edw. I. he was one of those, who though not summoned to the parliament at Lincoln,|| affixed their seals to the letter to the pope, by the name of "*Theobaldus de Verdon Dominus de Webbele*." In the writs of the 22 and 23 Edw. I. he is written only *Theobaldus de Verdon*, but in the summons to the parliament at London the 28 Edw. I. he has the additament of *senior*, his son Theobald by the additament of *junior* being summoned at the same time.¶ In the writs of the 30, 32, 33, and 34 Edw. I. he is similarly distinguished, but in the 35 his name does not appear, that of Theobald junior being only mentioned. He died the 3 Edw. II., and was succeeded by Theobald his son and heir, John his eldest son having predeceased him long before, in Ireland, the 25 Edw. I.;** which

‡ Rot. Parl., vol. i. p. 25.

§ Dugd. Lists of Summ.

|| Ibid.

¶ Ibid.

** Orig. 25 Edw. I., Rot. 16.

Theobald de Verdon (as before noticed) was summoned to parliament in his father's lifetime, and afterwards to the 9 Edw. II. as Theobaldus de Verdon. He was twice married, first to Maud, daughter of Edmund Mortimer, lord of Wigmore, and had issue by her three daughters, viz: Joane, who became the wife of Thomas, son of Thomas lord Furnival; Elizabeth, who married Bartholomew de Burghersh; and Margery, who married,

^a Verdon, or Verdun, during the late war, was the place where the British prisoners were confined.

* Vide Blount and Hussey.
† Vide Crophul, vol. ii.

‡ Hornby on Dugd. Errors.

§ Vide D'Amory.

first, William le Blount,* secondly, Mark Hussey, and thirdly, John Crophul.† His second wife was Elizabeth, daughter of Gilbert de Clare, earl of Gloucester, (by Joan of Acres his wife, daughter of king Edw. I.) and widow of John de Burgh, son of Richard, earl of Ulster,‡ by whom he had a posthumous daughter Isabel, who married Henry lord Ferrers of Groby.^a He died circ. the 10 Edw. II., leaving the said Elizabeth de Clare surviving, who afterwards married Roger D'Amory.§ He had two sons, John and William, who both predeceased him s.p., and thus not having any surviving male issue, his great inheritance fell to be divided among his daughters and coheirs, in whose representatives the barony of Verdon is in abeyance.

JOHN DE VESCI.—(49 HEN. III.)

|| Vide Banks' Dorm. & Ex. Bar. vol. ii.

YVO DE VESCI married Alda, daughter and heir of William Tyson, lord of Alnwick, in the county of Northumberland, and in her right, at the time of the general survey, held very numerous lordships. He had issue an only daughter and heir Beatrix, who married Eustace Fitz John (nephew and heir of Serlo de Burgh, founder of Knaresborough castle), and had issue a son William, who assumed his mother's name of de Vesci,|| which

William de Vesci married Burga, daughter of Robert de Estoteville (or Stuteville), lord of Knaresborough, and had issue

Eustace de Vesci, one of the twenty-five celebrated barons appointed to enforce the observation of the famous Magna Charta of king John, formerly considered the palladium of British rights and liberties, but now existing only in the document which bears its name.^b He married Margaret, one of the natural daughters of William, king of Scotland, and had issue William, whose eldest son,

¶ Dugd. Lists of Summ.

John de Vesci, was one of the confederate barons under Simon de Montfort, earl of Leicester, and after their success at the battle of Lewes, was one of those summoned to the parliament called by them in the king's name the 49 Hen. III.¶ He died s.p., and was succeeded by his brother and heir William, which

WILLIAM DE VESCI.—(23 EDW. I.)

** Ibid.

WILLIAM DE VESCI was summoned to parliament the 23 Edw. I.,** but no more. He was one of the competitors for the crown of Scotland, with Bruce, Baliol, and others, under

^a Vide Pleas de Quo Warranto Coram. Rege, Anno 2 Edw. III., Rot. 128, pro lib' de Trim in Hiberniâ.—The daughters Elizabeth, Margery, and Isabel, under age, wherein is mentioned a *daughter Catherine*, unnoticed by Dugdale, or Sir Harris Nicolas.

^b It is said that on the accession of George I., this charter was offered to be translated into German by a very distinguished nobleman for his majesty's information, but the king declined the offer, observing that he did *not want to know anything about such obsolete matters*.

pretence of claim derived from his grandmother, Margaret daughter of William king of Scotland, whose right, had she been legitimate, would have been preferable to the pretensions of Bruce and Baliol, who deduced them from two daughters of David the younger brother of king William. This William de Vesci died the 25 Edw. I. without any lawful issue surviving; John his son and heir apparent having predeceased him, s.p. But he had a bastard son William, in whose behalf he enfeoffed Anthony Beke, bishop of Durham, in the castle of Alnwick, together with other lands; but the bishop is by historians said to have betrayed his trust, and to have sold Alnwick for a sum of ready money to William Percy, (ancestor to the earls of Northumberland) in whose family it thenceforth became vested, and is still retained.

William de Vesci, the bastard, who was called William de Kildare, had summons to parliament the 6, 7, and 8 Edw. II., but was slain at the fatal battle of Bannocksbourne, when dying s.p., this barony became extinct, and the lands, which for want of issue from him, were to revert to the right heirs of William his putative father, descended to Gilbert de Aton, viz: son and heir of William, son and heir of Gilbert, by Margery his wife, daughter and heir of Warine de Vesci, brother of Eustace, father of William, father of John and William de Vesci, which last William was the putative father of him the said bastard, who deceased s.p.*

* Vide Aton, vol. ii.

The family of Aton, though thus descended, did not acquire any right of parliamentary barony by virtue of any of the writs of summons to John, or either of the Williams de Vesci.

WAHUL (WALTER)—45 HEN. III.

OF this family, which derived itself from Walter de Flanders, who came in with the Conqueror, and at the general survey held, among other manors and lordships in the counties of Bedford and Northampton, the manor of Wahul (subsequently called Wodhull, or Odhull) in the former county, was

Walter de Wahul, who had summons to that parliament called by the king's writ to meet in London the 45 Hen. III.,† his grandson

† Claus. Rot. m. 3, in Dors.

THOMAS DE WAHUL.—(25 EDW. I.)

THOMAS DE WAHUL was summoned to parliament the 25 Edw. I.,‡ but never after, nor any of his posterity, which long continued in the male line of succession, till the time of Hen. VIII., when

‡ Dug. Lists of Sum.

Anthony Wahul, about the 33 Hen. VIII., died, leaving by Anne his wife, daughter of Sir John Smith, an only daughter and heiress Agnes Wahul, who married first, Richard Chetwode; and secondly, Sir George Calverly, knight, by whom she had two sons, who died before her. She died the 18 of queen Elizabeth, leaving

* Vide Banks' Dorm. & Ext. Bar., vol. i. p. 439.

Richard Chetwode (afterwards Sir Richard) her son and heir, who temp. James I. preferred a claim to the barony of Wahul, when his petition was referred to a committee of lords,* who reported, viz: "According to your Majesty's direction we have met and considered the petition of Sir Richard Chetwode, and find that the petition is true; and that before any usual calling of barons by writ, his ancestors were barons in their own right, and were summoned to serve the kings in their wars with other barons, and were also summoned to parliament: and we conceive the discontinuance to have risen from the lords of the honor dying at one year of age, and the troubles of the time ensuing; but still the title of baron was allowed in all the reigns by conveyance of their estates, and by pardon of alienation from the crown, by the king's own officers, and £9 per annum, being the ancient fee for the castle guard of Rockingham, was constantly paid, and is paid to this day; so that though there has been a disuse, yet the right so fully appearing, which cannot die, we have not seen, nor heard of any one so much to be regarded in grace, and in consideration of so many knight's fees, held from the very time of the Conquest, and by him held at this day, and a pedigree both on the father and mother's side, proved by authentic records from the time of the Conquest, (which in such cases are very rare) we hold him worthy the honour of a baron, if your Majesty thinks meet."

(Signed)

LENOX,
HOWARD,
NOTTINGHAM.

It does not appear that this report of the lord's commissioners was any decision of right, but a recommendation for grace to be shown by his majesty to the petitioner, who is said to have been offered a patent for the said barony, but refused it, as considering it a derogation to his claim.

From the time of the said report till lately, no further proceedings were had thereon; but some time since the claim has been revived by Jonathan Chetwode, esq., of Woodbrook, son of Valentine Knightley Chetwode, by Henrietta Maria, daughter of Sir Jonathan Cope, bart., aunt of the late Arabella, duchess of Dorset, and countess Whitworth; which Valentine was grandson of John, grandson of Richard Chetwode, by Anne his wife, daughter and coheir of Sir Valentine Knightly; which Richard was son of Sir Richard Chetwode, the petitioner, temp. James I.

In the *Morning Herald* of the 17th of May, 1832, it was thus announced, viz:—"The Attorney-general, pursuant to an order of reference on the clam of Jonathan Chetwode, of Woodbrook, esq., has reported the claimant to be lineal and sole heir of the

barons Wahul, who were summoned to parliament among the most ancient barons of the realm."

WAKE.—(23 EDW. I.)

ACCORDING to Mr. Camden, and many other authors, and Mr. Collins,* in his Baronetage, this family was of eminent degree at, or even before the conquest; but as so abstruse a genealogy is not important to be here entered into, it may be sufficient merely to say, that

John Wake was first summoned to parliament the 23 Edw. I., and in the 26 had summons to Carlisle equis et armis, being in the writ styled a baron;† all then summoned being designated by their respective ranks. He had summons to parliament from the 23 to the 28 Edw. I., about which time he died, leaving Joane his wife surviving, and

John Wake his son and heir, who was never summoned, but did not live long, so that (as Dugdale says‡) Thomas, his brother, became heir to the estate and honour; which

Thomas Wake was a person of considerable note in the reigns of Edw. II. and III., and had summons to parliament from the 11 Edw. II. to the 23 Edw. III., inclusive; in the first reign as "*Thomas Wake*;" but in the latter, from the 5 to the 23, as "*Thomas Wake de Lydell*," during when he was several times a *Trier of Petitions*.§ He married Blanch, daughter of Henry, earl of Lancaster; but deceased 23 Edw. III., s. p., leaving Margaret his sister, widow of Edmund of Woodstock, earl of Kent, his next heir, aged forty;|| which

Margaret, dowager countess of Kent, performing her fealty, had livery of the lands of his great estate accordingly, saving the dower of Blanch, his widow, surviving. This Margaret, by the earl of Kent, had two sons, Edmund and John, successively earls, who both died s.p.; and a daughter,

Joan Plantagenet, heir to her brothers, and for her admirable beauty called "*the Fair Maid of Kent*." She married, first, William de Montacute, earl of Salisbury;¶ but from him was divorced;^a she married, secondly, Sir Thomas Holland, and had issue,** and surviving him, retained so much beauty as to captivate Prince Edward of Wales, (surnamed the Black Prince), and by him was mother of the ill-fated monarch, king Richard II., in whose reign she died, and was buried in the Friars Minors, at Stamford.

WELLES.—(27 EDW. I.)

ADAM DE WELLES, of a very ancient family—of which Camden says*† a Richard de Welles held the manor of Welles, in the county of Lincoln, ever since the conquest, by

* Said to be on account of precontract to Holland.

* Vol. ii. p. 465

† Dugd. Lists of Summ.

‡ Baron., vol. i., p. 541.

§ Rot. Parl.

|| Dugd. Bar. vol. i., p. 541.

¶ Vide Montacute.
** Vide Holland.

*† Cam. Brit. p. 58.

the service of being *Baker to the King*—had summons to parliament from the 27 Edw. I. to the 4 Edw. II., inclusive, and was summoned to the coronation of that king.* The 26 Edw. I. he had summons to Carlisle equis et armis, and was named in the writ as a baron, all then summoned being therein designated by their respective ranks of nobility. In the 29 Edw. I. he was one of those who in the parliament at Lincoln affixed their seals to the famous letter to the pope, by the designation of "*Adam Dominus de Welle*." He deceased circ. 4 Edw. II.,† being seised of the manor of Welle, in the county of Lincoln, leaving Joane his wife surviving, who was daughter of John, son and heir of Oliver Engaine, of Grainsby, in the county of Lincoln;‡ and

* Vide Coron. Rot. in vol. ii.

† Esch. 5 Edw. II., n. 68.

‡ MS. Ped. Pen. Auct. * Esch. no. 36.

Robert de Welles, his son and heir, who deceased the 14 Edw. II., s. p.,§ never having had summons to parliament, and was succeeded by

Adam de Welles, his brother and heir, as Dugdale states,^a then under age, who, after attaining his majority, had livery of his lands, and served in the wars of Scotland and France, and had summons to parliament from the 6 to the 17 Edw. III., inclusive, and died the 19th of the same reign, leaving

John his son and heir, who had summons the 31 and 34 Edw. III., and died the next year, when he was succeeded by

John his son and heir, then in minority, who coming at age, became very eminent for his valour, and distinguished for a memorable encounter with David, earl of Crawford, a Scotch nobleman. He had summons to parliament from the 49 Edw. III. to the 8 Hen. V., inclusive; and shortly after deceased, though his name is continued in the lists of summons|| to the 7 Hen. VI., leaving Leo,^b his grandson and heir, (son of Eudo, his eldest son, who died in his lifetime;^c) which

¶ Dugd. Lists of Summ.

Leo lord Welles, making proof of his majority the 6 Hen. VI., had livery of his lands—his homage being respited. He was lieutenant of Ireland for seven years, and had summons to parliament from the 10 to the 38 Hen. VI.; but was slain at the battle of Towton, and buried in Waterton Chapel, at Methley, in the county of York. Being attainted by Edw. IV., his barony became forfeited.^d He was twice married; first to

^a Vide Originalia 20 Edw. II., Rot. 4.—*Son and heir*, R' cepit homag' Ade de Welle fil. & hæ. Rob'ti de Welle def. de om'bus tri's &c., man'at &c.

^b Many instances are to be found in Dugdale of writs of summons being directed to persons long after their decease; of which, those to Maurice lord Berkeley, for twelve years after his decease, form a particular one. This continuance might arise from ignorance of their decease, particularly if the next heir was a minor; as in the case of this grandson.

^c This Eudo had also a son Sir William Welles, who was lord chancellor of Ireland, 8 July, 1461. He had issue several children.—Vide *Lodge's Peerage of Ireland*.

^d It may be considered that his attainder would not be now deemed operative against his heirs general, as he was then by his allegiance serving the king *de facto*.—Vide the subsequent Act of Parliament of the 11 Hen. VII. on this point.

Joane, (or Jane,) daughter of Sir Robert, and sister and heir (or coheir) to her brother Sir Robert Waterton, jun.; by whom he had Sir Richard Welles, his son and heir, and four daughters. His second wife was Margaret, widow* of John Beaufort, duke of Somerset, by whom he had John viscount Welles, hereafter mentioned.

* Vide Beauchamp of Bletshoe.

Sir Richard Welles, his son and heir, having married Joan, daughter and heir of Robert, sixth lord Willoughby, of Eresby, had summons to parliament by that title,† the 33 and 38 Hen. VI., in his father's lifetime; and afterwards in the 1, 6, and 9 Edw. IV.; and had restitution of the manor of Welles, and divers others,‡ and was restored in blood.§ But the 9 Edw. IV. his son Sir Robert Welles being in arms with the earl of Warwick for the restoration of king Henry, the king sent for this Richard (bearing then also the title of lord Welles) to command his son Robert to lay down his arms; which, having attempted in vain, king Edward grew so enraged, that—contrary to his promise of safety—he caused him to be beheaded: whereupon, Sir Robert Welles, in revenge for the barbarous execution of his father, without waiting the coming up of the earl of Warwick, engaged the royal army, but was defeated, taken prisoner, and beheaded.

† Dugd. Lists of Summ.

‡ Rot. Parl. 7 & 8 Edw. IV., vol. v., p. 618.
§ Prynn's Abridg. p. 681.

Richard lord Welles and Willoughby, and his son Sir Robert, being thus dead, Joan, the daughter of lord Richard, and sister to Sir Robert, became heir general to her father and brother. She was then married to Richard, brother to William lord Hastings, which

HASTINGS LORD WELLES.

RICHARD HASTINGS had so much favour from king Edward, that he obtained a special livery of divers manors, lands, &c., whereof the father and brother of his wife had been possessed,|| and moreover had summons to parliament the 22 Edw. IV. and 1 Richard III., as "*Ricardus Hastings de Welles Ch'v'r*," but was never summoned after, though it appears by his will, dated 18 March, the 18 Hen. VII., he lived some years. At his death he was buried in the Grey Friars at London, along with Joan his wife, where is the following entry, viz: "*D'n's Ric. Hastynge D'ni de Wylybi et de Welle, qui ob. Sept. 1503, et D'na Joha' ux. sui. que ob. Marci*"

|| Rot. Parl. 14 Edw. IV., vol. vi., p. 148.

The said Richard, and Joan his wife, had issue a son Anthony, their only child, who died in their lifetime s.p.; as such, upon their decease without surviving issue, the barony created by the writs of summons of the 22 Edw. IV. and 1 Richard III. may be considered to have become extinct, as one *de novo*, the attainders of Richard lord Welles and Sir Robert, the father and brother of Joan Hastings, not having been at that time reversed. But if it be deemed a continuation of the old barony of Welles, then whatever right there might be thereto, devolved upon the two daughters and coheirs of John viscount Welles, if then living, their father having died in the lifetime of Richard Hastings and Joan his wife.

JOHN VISCOUNT WELLES.

* Dugd. Lists of Sum.
† Sand. Geneal.

THIS John Welles was only son of Leo lord Welles, by Margaret, dowager duchess of Somerset, his second wife. Espousing the cause of Henry VII. against king Richard, he was, after the accession of king Henry, created viscount Welles, and though the date of his creation does not appear, he had summons to parliament by that title in the 3, 7, 11, and 12 Hen. VII.* He married Cecily, daughter of king Edw. IV., and is said to have had issue two daughters, Anne who died an infant, and Elizabeth who died s.p.† He died the 14 Hen. VII., when his viscounty became extinct.

‡ Harl. MS.n. 1233.
§ Vol. vi., p. 544.

The issue which continued in descent from Leo lord Welles was from his four daughters by Joan (or Jane) Waterton, his first wife: of these, Ellinor (or Alianor) married, first, Sir Thomas Laurence, and secondly, Thomas lord Hoo and Hastings; Margaret, Sir Thomas Dymoke; Cecily, Sir Robert Willoughby; and Catherine who married, first, Sir Thomas de la Launde, and had issue two daughters and coheirs, viz: Joan, who married William Denton, esq., and had a son John; and Margaret, who married Thomas Berkeley, esq., and had two sons, William and Maurice:‡ the second wife of Catherine Welles was Robert Tempest. It would however seem that Ellinor had a former husband before the lord Hoo, of the name of Laurence, for according to the Rolls of Parliament,§ William lord Willoughby of Eresby, Sir Robert Dymoke, Thomas Laurence, and Catherine, daughter of Leo lord Welles, then wife of Robert Tempest, were in the 19 of Hen. VII. found the *Heirs of Leo Lord Welles, and of Richard and Robert Welles*.

¶ Vide Banks's Hist. of Marmyun.
¶ V de Hopkinson's MSS. vol. ii., n. 378, & Fosb. Glouc. vol. ii., p. 443.

Of these persons the representatives are the marquess of Cholmondeley, and lord Willoughby of Eresby, from Cecily; the representatives of Robert Heywood, from Margaret, the wife of Sir Thomas Dymoke, if any exist,|| if not, then the representatives of the sisters and coheirs of Champion Lewis Dymoke, who died in 1760, s. p. l.; the issue of Thomas Laurence, if any exist,¶ if not, the issue from the daughters and coheirs of Thomas lord Hoo, hereafter mentioned; the issue of William Denton, and of Thomas Berkeley, from Joan and Margaret, the daughters and coheirs of Catherine Welles, by her first husband Sir Thomas de la Launde.

The lord Hoo and Hastings, who married Ellinor, daughter of Leo lord Welles, (relict of Sir Thomas Laurence) had issue three daughters, and coheirs to their mother, viz: Eleanor, who married Sir James Carew, of Bedington, in the county of Surry; Jane, who married Sir Roger Copley, now represented by Sir Joseph William Copley, of Sprotborough, in the county of York; and Elizabeth, who married Sir John Devenish, of Hellingley, in the county of Sussex, of whom (by a coheiress general, Elizabeth, married to Henry Walrond, of Sea, esq.) Bethel Walrond, of Dulford House, in the county of Devon, esq., claims to be the heir representative, but is counterclaimed by Samuel

Barwick Bruce, of Ripon, in the county of York, esq., M. D., as descended of an elder branch of the Walronds; but Salmon, in his History of Hertfordshire,* asserts that Ellenor Hoo first married Thomas Echingham, and that Elizabeth Hoo first married Thomas Massingberd, of London. * P. 152.

It is said† Mr. Bethel Walrond presented a petition to his Majesty in 1832, and obtained an order of reference to the Attorney General, but no proceedings seem to have followed the Attorney General's report, if any was ever made. † Burke's Commons.

WENLOK.—(1 EDW. IV.)

JOHN WENLOK had summons to parliament the 1, 2, 6, and 9 Edw. IV., as "*Johanni Wenlok de Wenlok Militi*," but his name is inserted by Dugdale‡ among those who were created by patent; and he does not allude to how he was created, merely observing that *the Record calls him Lord Wenlok*, and that he died the 11 Edw. IV. without wife or issue. Under this statement it matters not whether he was created by patent or by writ, as the barony expired with him. But Mr. Lysons, in his *Magna Britannia*,§ mentions his wife to have been Elizabeth, daughter and coheir of Sir John Drayton, and that she was buried in the Wenlok chapel at Luton Hoo, in the county of Bedford. Lord Wenlok was interred at Tewksbury. The family of Lawley appears to have been his heir general.||

‡ Baronage, Tome 3.

§ Vol. i.

|| Vide Coll. Bart.

WENTWORTH.—(21 HEN. VIII.)

THOMAS, son of Sir Richard Wentworth, of Nettlested, in the county of Suffolk, was first admitted into the parliament chamber the 21 Hen. VIII.,¶ and continued after to be summoned till his death, the 3 Edw. VI. He married Margaret, daughter of Sir Adrian Fortescue, by Anne his wife, daughter and coheir of Sir William Stonor, by Anne his wife, one of the daughters and coheirs of John Neville, marquess of Montagu,** and had a very numerous issue, of which,

¶ Dugd. Lists of Summ.

** Vide Montagu.

Thomas, the eldest son, was the next baron, and had summons to parliament from the 3 Edw. VI. to the 31 queen Elizabeth, and died the 33 of the same reign. He was governor of Calais in the time of queen Mary, when that important place was reconquered by the French. The loss of this celebrated town which had been so long in possession of the English led to an accusation against him of cowardice, on which charge he

was brought to trial by his peers, but was very honourably acquitted. His eldest son having died in his lifetime, s. p., he was succeeded by

Henry, his second son, third baron, who had summons the 35 Elizabeth, and died the next year, leaving

* Dugd. Bar.,
Tom.iii.p.310.

Thomas his son and heir, who, the 8 James I., was created* lord Wentworth of Nettlested, in the county of York; and the 1 Charles I. was advanced to the title of earl of Cleveland. During the civil war he courageously and loyally adhered to his sovereign, and lived to see the restoration; after when he died in 1667 at the advanced age of seventy-six, and was buried at Toddington, in the county of Bedford.† Dying without surviving issue male, the earldom of Cleveland became extinct; but Thomas his son and heir apparent, who in his lifetime had been summoned to parliament as lord Wentworth‡ the 15 Charles I.§ having predeceased him, left issue an only daughter and heiress, Henrietta Maria, who on her grandfather's death became his successor in the barony of Wentworth, which

† Paroch.Reg.

‡ Dugd. Lists
of Sum.
§ Journ.Dom.
Proc. 1640.

Henrietta Maria, at the coronation of James II., walked in the procession as baroness Wentworth. The reciprocal attachment between the duke of Monmouth and her was of the most tender nature. On the scaffold he vindicated her honour, admitting that they lived together as man and wife, and refusing to acknowledge to the divines who attended his execution, that he was lawfully married to any other wife, the marriage with his duchess having been made when he was not of lawful age to give his consent.

|| Paroch.Reg.

Lady Wentworth only survived his execution a few months, dying as it is said of grief at his untimely end. She died 23 April, 1686, and was buried at Toddington.|| By the duke of Monmouth she had a son, aged two years at her decease, who was taken under the care of a colonel Smyth, who had been an aid-de-camp to the duke, which worthy gentleman brought him up as his own child, and upon his decease left him his property, and he assumed the name of his foster father and benefactor. He married Maria Julia Dalziel, granddaughter of general James Crofts, natural son of the duke of Monmouth, by Eleanor, daughter of Sir Robert Needham of Lambeth: by her he had a son Ferdinand Smyth, who afterwards took the name of Stuart, whose services and losses as an active loyalist in the American war, were long a subject of vain memorial for compensation to the lords of the Treasury, like too many others which have not an adequate influence to support them.¶ He was a man of talent, energy, and enterprise, whose birth and military brave conduct in an arduous warfare, entitled him to a better recompense, and more notice, than he experienced at the hands of that government he had served with so much zeal and honour.

¶ MS. Case,
pen. Auct.

Upon the death of lady Henrietta Maria Wentworth without legitimate issue the barony of Wentworth devolved upon her aunt,

LOVELACE BARONESS WENTWORTH.

ANNE, sister to her father Thomas, which Anne married John lord Lovelace, and had issue a son John, who died in her lifetime, anno 1693, having had issue a son John, who died young, vitâ patris, and three daughters, whereof Anne and Catherine both died unmarried in the lifetime of their grandmother, and Martha alone survived, who on the death of her said grandmother in 1697, became entitled to the barony. This

JOHNSON BARONESS WENTWORTH.

MARTHA LADY WENTWORTH married Sir Henry Johnson, of Bradenham, in the county of Buckingham, knight, a rich ship builder, who died s.p., in her lifetime, 29 Sept., 1719. She claimed, and was allowed the barony by descent, in 1702;* and at the coronation of queen Anne, walked in the procession as baroness Wentworth. Upon her death in 1745, s.p., the barony became vested in the descendants of Sir William Noel, of Kirkby Malory, in the county of Leicester, bart., by Margaret his wife, eldest daughter of John lord Lovelace, and Anne his wife, daughter of Thomas, earl of Cleveland, and sister to Thomas lord Wentworth, father of lady Henrietta Maria, baroness Wentworth, before mentioned.

* Journ.Dom.
Proc.

NOEL BARON & VISCOUNT WENTWORTH.

SIR EDWARD NOEL, great-grandson and heir of the said Sir William and Margaret Wentworth his wife, thus succeeded to the barony, and in 1762 was created viscount Wentworth, of Wellesborough, in the county of Leicester. He died in 1774, having had issue Thomas, his successor, and three daughters, viz: Judith, who married Sir Ralph Milbank, bart.; Elizabeth, who married John Bland Burgess, esq., s.p.; and Sophia Susanna, who married Nathaniel Curson, son and heir apparent of lord Scarsdale.

Thomas, second Noel, baron and viscount Wentworth, married, but died s. p., in 1815, when the viscounty became extinct; and the barony fell into abeyance between his eldest sister, Judith lady Milbank, and his nephew, Nathaniel Curson, son of his youngest sister, Sophia Susanna.

The abeyance has since been determined, as may be seen in Lodge's Peerage, and other, the minor printed peerages of the day.

WEST.—(16 EDW. III.)

THOMAS WEST had summons to a great council to be holden at Westminster the 16 Edw. III., which was afterwards prorogued;* and his name does not appear in any of the subsequent writs of the same year; but it seems he died shortly after.

* Dugd. Lists
of Summ.

Thomas, his son and heir, was never summoned. His son and heir, another

† Vide St.
Amand.

Thomas West had summons the 3 and 5 Hen. IV., (1404.) He married Joan, daughter, and eventually heiress of Roger, baron De la Warr, and died in 1405, leaving a son Thomas, who married Ida, daughter and coheir of Almaric, baron St. Amand,† but was never summoned to parliament, and died s.p., leaving

‡ Vide De la
Warre.
§ Vol.ii.,p.685

Reginald West, his brother and heir, who had summons to parliament as baron De le Warre, jure matris, from which period the baronies of West and De la Warre became coalesced in the same descent;‡ and as Sir Harris Nicolas, in his Synopsis,§ observes, *are now vested in the descendants and representatives of Sir Owen West, half brother of Thomas West, ninth baron De la Warr.*

WHARTON.—(36 HEN. VIII.)

|| Dugd. Lists
of Summ.

SIR THOMAS WHARTON, descended from a very ancient family, which is supposed to have taken its name from a lordship so called in the county of Westmorland, having distinguished himself in the wars of Scotland, was summoned to parliament the 36 Hen. VIII., and from thence to the 8 queen Elizabeth,|| by writ directed "*Thomæ Domino Wharton Cl'r.*" He died circ. 10 queen Elizabeth, and was succeeded by his son and heir

Thomas, second lord Wharton, who had summons the 13 and 14 Elizabeth, 1572, in which year he deceased, leaving

¶ Paroch.Reg.

Philip his son and heir, third baron, who had summons from the 23 Elizabeth to the 1 Charles I., about which time he died. By Frances his wife, daughter of Henry Clifford, earl of Cumberland, he had two sons, Sir George and Sir Thomas; of these Sir George, the eldest, was slain in a duel with James Stuart (son of the first lord Blantyre) who was also killed, and they were both buried in one grave at Islington, in the county of Middlesex, 10 November, 1609.¶ Sir Thomas the second son, died likewise in the lifetime of his father, anno 1623, leaving issue two sons, Philip and Thomas, whereof

** Vd. Whar-
ton notes.

Philip, the eldest, succeeded his grandfather as fourth lord Wharton, and had summons to parliament from the 15 Car. I. to the 1 Jac. II., and died in February 1695-6.**

He was thrice married, first to Elizabeth, daughter of Sir Rowland Wandesford, by whom he had a daughter Elizabeth, who married Robert Bertie, third earl of Lindsey; his second wife, who died 23 April, 1658, was Jane, daughter and heir of Arthur Goodwin, of Winchendon, in the county of Buckingham, esq., by whom he had Thomas his successor, Arthur, baptized* 2 June, 1641, buried 15 March following, and Goodwin, born the 8th and baptized the 28 March, 1652, who died in 1704, leaving a son Hezekiah, who died s. p.† in 1711, also it is said a son Henry, who died at Dundalk, in Ireland, a colonel in the duke of Scomberg's army,^a and four daughters hereafter mentioned; his third wife was Anne, daughter of William Carr, Groom of the Bedchamber to king Jac. I., and widow of Edward Popham, esq., by whom he had a son William, who was killed in a duel with Mr. Wolsey, and died 14 December, 1687, aged twenty-six, unmarried.

* Woburne,
Par. Reg.

† Vide Whar-
ton Notes.

Thomas, eldest son, fifth lord Wharton, was by queen Anne, in 1706, created viscount Winchendon, and earl of Wharton, and in 1714, by king George I., was further advanced to the dignity of marquess of Wharton, as also created a peer of Ireland,‡ by the title of baron of Trim, earl of Rathfarnham, and marquess of Catherlough: but these honours he did not long enjoy, dying shortly after, in 1715. He was twice married, first to Anne, daughter and coheir of Sir Henry Lee, of Ditchley, in the county of Oxford, but had not any issue by her; secondly to Lucy, daughter of Adam Loftus lord Lisburne (in Ireland), by whom he had issue two daughters, Jane and Lucy, and a son

‡ Beatson,
Pol. Index.

Philip his successor in all his honours, who was still further advanced in dignity, being by George I., in 1717, created duke of Wharton. But notwithstanding all the favours he received from the king, this extraordinary man, of the most commanding talents, having wasted a great estate, turned papist, acted for the Pretender, was a volunteer in the Spanish army, before Gibraltar, in 1727, then retiring into a monastery, died there s.p., in 1731. He was twice married, first to Martha, daughter of major-general Holmes; and secondly to Maria Teresa O'Neale, but not having issue by either lady, his two sisters became his heirs; of these, lady Jane married first, John Holt, esq.; and secondly Robert Coke, esq., brother to Thomas, earl of Leicester, but died s.p. Lady Lucy married Sir William Morice, from whom she was divorced, and died at Bath, in Feb. 1738-9. The issue of these ladies thus failing, the aunts of duke Philip (the daughters of Philip, fourth baron Wharton) or their heirs representative became the coheirs general to the barony of Wharton, all the other titles of the duke becoming extinct for default of male issue: but as the duke was attainted, and his attainder never reversed, it may be considered that the barony being affected thereby, now remains in the crown a forfeited honour, though capable by reversal of being restored in behalf of either of these coheirs, whereof

^a In the reign of James II., when Tyrconnel was governor of Ireland, it is related of him, that he assumed the habit of a player, and sung before the king in the playhouse, the famous party song of "*Lillibullero*."

Elizabeth, daughter of Philip fourth lord Wharton, by his first wife, married Robert Bertie, third earl of Lindsey, and is now represented by the marquess of Cholmondeley, and lord Willoughby of Eresby.

Anne, daughter of the same lord Philip by his second wife, married William Carr, esq., who died the 17th of June 1689, and she the 26th of May preceding.

* Vide Wharton Notes.

Margaret married major Dunch, and had issue,* Wharton Dunch, who died unmarried in 1705; Jane who married Francis Keck, of Tew, in the county of Oxford, esq., who died the 29th of September, 1728, and was buried at Blunsdon in the county of Wilts, where she who died before him was also buried; and Margaret Dunch, who died in 1690, aged sixteen. The said Margaret Wharton, after the death of major Dunch, is said to have married Sir Thomas Sulyard, of Berbey Abbey, in Kent, and to have had a daughter Philadelphia, who died unmarried in 1731; her third husband was William lord Ross, s.p.

Mary Wharton married, first, Edward Thomas, of Ruperra, in the county of Glamorgan, esq., and had issue a son Sir Edward, of Ruperra, knight, who died s.p., in 1692-3, and a daughter Anne, who died unmarried before 1699; her second husband was Sir Charles Kemeys, bart., of Kever Mabley, in the county of Glamorgan, who died in 1703, now represented by Charles Kemeys Tynte, esq.

Philadelphia Wharton married first, Sir George Lockhart, president of the court of session in Scotland, by whom she had issue; and secondly captain John Ramsay, by whom she also had issue.^a

WHARTON NOTES.

1.—Philip, fourth lord Wharton, by will dated 1st February, and proved the 21st, anno 1695-6, gives a legacy to his second son Goodwin.

2.—Thomas, fifth lord, in his will 13th September, 1715, mentions his daughters Jane and Lucy, his niece, Margaret Ramsay, daughter of his sister, lady Lockhart, his nephews Anthony and John Keck, sons of Francis Keck, of Great Tew, in the county of Oxford, esq.

3.—Lucy lady Wharton, relict of the fifth lord, in her will, proved 20th February, 1716-17, names her daughters Jane and Lucy.

4.—Goodwin Wharton, by his will dated 30th September, 1704, proved 19th March following, gives his estate in the county of Cumberland to his son Hezekiah *law-*

^a The family of Wharton is capable of much more illustration than any printed peerages have given it; but as all the titles limited to issue male, are absolutely extinct, and the barony under forfeiture, the present account may be deemed sufficient to show in whom the barony would otherwise be vested.

fully begotten. This will was disputed, but the 16th March, 1704-5, was established, and on the nineteenth administration was granted to the guardian of Hezekiah, calling himself Wharton alias Knowles.

5.—Major Dunch, first husband of Margaret Wharton, by his will proved 4th March, 1679, appoints the honourable Thomas Wharton, his wife's brother, trustee, and his dear wife Margaret sole executrix—names his two daughters and the child she was then big with. N.B.—this child appears to have been a son, Wharton Dunch, mentioned in a preceding account.

6.—Sir George Lockhart, first husband of Philadelphia Wharton (whose marriage settlement is dated the 2nd September, 1679, died circ. 1703, when administration was granted to George his son the 19th of November.

7.—June the 16th, 1688, administration of the effects of William, fourth son of Philip lord Wharton, was granted to his father.

8.—Maria Teresa O'Neal, duchess of Wharton, and relict of duke Philip, by her will dated 23rd December, 1775, and proved 26th February, 1777, gives legacies to her kinswoman Mrs. Vickers, her niece Mrs. Eleanor O'Beirne, also gives the remainder of her fortune among Francis, Joseph, John, and Frances Magdalen, the four children of her deceased brother Cammerford, and appoints her nephews Francis and Hugh Hammersley, of Spring Gardens, esquires, executors. She was buried at St. Pancras, 20th February, 1777.

9.—Lady Lucy Wharton, wife of Sir William Morice (but divorced) died 2nd February, 1738-9, and on the 2nd of March administration of her goods was granted to her sister lady Jane Coke. She was buried at Hammersmith, 11th February, 1738-9.

10.—The 20th February, 1728-9, administration of the goods of John Holt, esq., was granted to his widow lady Jane, formerly Wharton, and after married to Robert Coke, esq., at Hillingdon, in the county of Middlesex, 13 June, 1733.

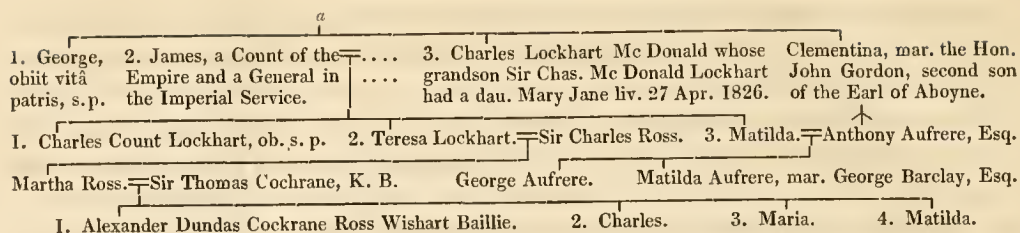
11.—Lady Jane Coke, by her will, dated 22nd September, 1757, and proved the 19th of January 1761, bequeaths her estate to Anna Maria Draycot, spinster of Clarges-street, Piccadilly, who afterwards married the earl of Pomfret; buried at Sunbury.

12.—On the death of Hezekiah, son of Goodwin Wharton, administration, with will annexed, was granted the 7th of December 1711, of his goods, to Elizabeth Lloyd, widow.

Sir George Lockhart, of Carnwath, N.B., = Philadelphia, daughter of Philip, 4th Lord Wharton,
President of the Court of Session. died 3 July, 1722, buried at Chelsea.

George Lockhart, son and heir. = Euphemia, daughter of Alexander, Earl of Eglington.

1. George, admitted coheir to Lady Jane Coke in the manor of Colken- nington, co. Middx., 5 April, 1763	2. Alexander, after Lord Corrington: Issue, three sons and four daughters.	3. Thomas, s. p.	4. James, s. p.	5. William, s. p.	6. Philip, s. p.	Female issue.
Devises in the will of the Duke of Wharton, 1721.						



WILLIAMS OF THAME.—(1 QUEEN MARY.)

* Baron.,
Tom. iii.,
p. 393.

† Journ. Dom.
Proc.

‡ Dugd. Lists
of Summ.

SIR JOHN WILLIAMS of the same parentage (as Dugdale recites*) with Sir Richard Williams, who assumed the surname of Cromwell, temp. Henry VIII., was second son to Sir John Williams, of Burfield, in the county of Berks., by Elizabeth his wife, daughter and coheir to Richard More, of Burfield, esq. This Sir John having been made a knight by king Henry VIII. enjoyed many high employments and places during his reign, and in the 38 Henry VIII. was constituted treasurer of the court of augmentations. Upon the death of king Edward VI., he was among the first who appeared in arms for the succession of queen Mary, by whom, in consideration of his services, he was solemnly created lord Williams of Thame, at her palace of St. James's, on the 5th of April, in the first year of her reign, having also his writ of summons to parliament, where he took his place on the same fifth day accordingly,† his writ being directed "*Johanni Williams de Thame, Ch'r.*" and in the 1 and 2 Philip and Mary, similarly, with the addition of "*Camerario Hospitii.*"‡ In the reign of queen Elizabeth he was also in high favour, and having been summoned to parliament from the 1 to the 5 and 6 queen Mary, died the 1 queen Elizabeth, at Ludlow, being then lord president of her council in the principality of Wales.

He was twice married, first to Elizabeth, widow of Andrew Edmonds, of Cressing Temple, in the county of Essex, and daughter and coheir of Thomas Bledlow, by Elizabeth his wife, one of the daughters and coheirs of Sir Humphrey Starkey, chief baron of the exchequer, by which Elizabeth, who died before him, in 1556, the 3 and 4 Philip and Mary, and was buried at Rycote, he had two sons, Henry, and Francis, who died in his lifetime, s.p., and two daughters, Isabel, and Margery. His second wife (who survived him) was Margery, daughter of Thomas lord Wentworth, but by her he had not any issue.

Dugdale has mentioned (as before observed) that lord Williams was solemnly created, and has inserted his name in that part of his Baronage which treats of creations by letters patent, but at the same time has stated, that *no patent is enrolled*, hence it is to be concluded that he was *a baron by writ of summons*; and on the precedent of the lately

adjudged case of the barony of Vaux, of Harroden,* the barony on his decease without surviving issue male, fell into abeyance between his two daughters and coheirs, Isabel and Margery (or Margaret), which latter married Henry Norris, and in the partition of the inheritance obtained the lordship of Rycote, in the county of Oxford, and in her moiety of the barony of Williams, of Thame, is represented by the earl of Abingdon, her heir general.

* Coram
Dom. Proc.

Isabel the eldest daughter and coheir, had Thame, and married Sir Richard Wenman, whose grandson Sir Richard, was knighted at the taking of Cadiz, temp. queen Elizabeth, and was afterwards by king Charles I., anno 1628, by letters patent, created baron Wenman of Kilmaynham, and viscount Wenman of Tuam, in the kingdom of Ireland.† In 1603, after the accession of James I. he is said to have presented a petition to the king for the barony of Thame, conceiving that he had a right thereto by descent from his grandmother Isabel Wenman, but as it was not determined the title still remains dormant. He died and was buried at Twyford, in the county of Buckingham, in 1640, leaving

† Beatson's
Pol. Index.

Thomas his son and heir, second viscount Wenman, who married Margaret, daughter and heir of Edmund Hampden, of Hartwell, in the county of Buckingham, by whom he had an only son Richard, who died in his lifetime in 1646, s.p., and six daughters, which on his decease in 1664 became his coheirs. Of these,

Frances Wenman married Richard Samwell, of Upton, in the county of Northampton, by whom she had a son Thomas, created a baronet in 1675, and several daughters;‡ Margaret and Agnes Wenman died young; Penelope married Thomas Cave, of Stamford, in the county of Northampton, created a baronet in 1641;§ Elizabeth married Grevile Verney, esq.; and Mary married Francis Wenman, of Caswel, esq., and died in 1657, aged twenty-four, having had issue four sons and a daughter Elizabeth.|| Among the descendant representatives of these daughters of Thomas, second viscount Wenman, the moiety of Isabel, eldest daughter and coheir of John lord Williams, of Thame, is vested in abeyance.

‡ Vide Baron-
etage.

§ Ibid.

|| Mon. Inscr-
apud Witney.

WILINTON, or WYLINGTON.—(3 EDW. III.)

JOHN DE WILINTON had summons to parliament the 3, 4, 10, 11, 12, and 13 Edw. III.,¶ to whom succeeded

¶ Dugd. Lists
of Summ.

Ralph de Wilinton his son, who had summons the 16 Edw. III. to a great council to be holden at Westminster, which was afterwards prorogued,** and his name is not again mentioned in any subsequent writs of summons. Dugdale says*† he died the 22 Edw. III., s.p., leaving Ralph de Wilinton his uncle and heir, aged fifty. In which respect the barony may be presumed to have become extinct.

** Ibid.

*† Baron., vol.
ii., p. 140.

The 1 Richard II. a John de Wilinton is named among the peers present at the coronation of that king.* The 20 Richard II., John, brother and heir of Ralph, son and heir of John de Wilinton, held the manor of Knighton, in the county of Dorset, and lands and manors in other counties, Isabel wife of William Beaumont, and John Wroth, junior, being his next heirs. In the 2 Hen. VI. Isabel, wife of William Beaumont, held Knighton, and other lands and manors in Wiltshire, Berkshire, &c.—Vide Lysons' *Magna Britannia*,† citing *Escheats* 20 Richard II. and the 2 Hen. VI.

WILLOUGHBY DE ERESBY.—(7 EDW. II.)

SIR WILLIAM DUGDALE, citing Glover, asserts‡ that William de Willoughby married Alice, daughter and coheir of John Bec, lord of Eresby, in the county of Lincoln, and had issue Robert, who the 4 Edw. II. was found heir to Anthony Bec, bishop of Durham, viz: son and heir of Alice, daughter of John, brother to that bishop, and then aged forty; but Sir Harris Nicolas§ states that Robert Willoughby married the said Alice,^a which

§ Synopsis
vol. ii. p. 690.

Robert Willoughby was summoned to parliament the 7 Edw. II. (1313), and died in 1316, leaving Margaret his wife, daughter of the lord Deincourt, surviving, and

John de Willoughby his son and heir, who had summons from the 6 to the 23 Edw. III., in which year he died, having married Joane, one of the sisters and coheirs|| of Thomas de Roscelyn, and had issue

John de Willoughby his son and heir, who had summons from the 24 to the 44 Edw. III., and died the 46th, leaving by Cecily his wife, daughter of Robert, and one of the sisters and coheirs of William de Ufford, earl of Suffolk.¶

¶ Vide Suffolk

** Dugd.
Baron., Tome
ii., p. 84.

*† Ibid.

Robert de Willoughby his eldest son and successor, a distinguished commander in the wars of France, he had summons from the 24 Edw. III. to the 18 Richard II., and died the 20th. In the 5 Richard II. he was found upon the death of William, earl of Suffolk, to be one of his coheirs,** whereby he became entitled to a moiety of that earldom, which is considered to have been created by writ. He was thrice married. By his first wife, Alice Skipwith, he had a son William his successor; and by Elizabeth, another wife, widow of John Nevill lord Latimer,*† four sons, viz: Robert, who died young; Thomas, ancestor of lord Willoughby de Broke; John; and Bryan.^b

^a Upon the presumption of the accuracy of that learned critic, Sir Harris Nicolas, the name of Robert Willoughby has under the article of Bec been given as the husband of Alice Bec, although differing from Dugdale and Collins, and from the former statement of the Editor in the second volume of his *Dormant and Extinct Baronage*.

^b In Longmate's Supplement to Collins's *Peerage* he asserts all his issue to have been by his first wife Alice Skipwith, which is also so stated in a MS. pedigree of nobility by Henry St. George, who names his three wives, viz: first, Alice Skipwith, by whom he had his children; second, Margaret Zouche; third, Elizabeth Latimer. In this instance Dugdale was in error; and the following of his statement as above, is merely to show the authority on which it is corrected.

William, fifth lord Willoughby, was summoned from the 20 Richard II. to the 11 Hen. IV., in which year he died, having had issue by Lucy, daughter of Roger lord Strange, of Knokyn, Robert his son and heir, and Thomas a second son, father of Robert Willoughby hereafter mentioned.

Robert Willoughby, son and heir, sixth baron, had summons from the 12 Hen. IV. to the 29 Hen. VI., and died the year following. He married Maud, daughter and co-heir of Sir Richard Stanhope, by Maud his wife, sister and heir to Ralph the last lord Cromwell of Tatshall,* and by her left issue a sole daughter and heiress Joan,† who married Sir Richard Welles, son and heir apparent of Leo lord Welles, which

* Vide Cromwell.

† Pat. Rot. 31 Hen. VI., m. 2.

WELLES LORD WILLOUGHBY.

SIR RICHARD WELLES, as before mentioned,‡ was summoned to parliament as lord Willoughby vitâ patris, and had issue a son Robert who died s.p., and a daughter Joan, heir to her brother, who married Richard Hastings, summoned to parliament as lord Welles, and had a son Anthony who died vitâ patris, s.p., whereby, all issue of Sir Richard Welles lord Willoughby having failed, the barony of Willoughby reverted to the next heir, in the person of William Willoughby, which

‡ Vide Welles.

WILLOUGHBY REVIVED.

WILLIAM WILLOUGHBY was grandson of Robert Willoughby, son and heir of Thomas, uncle to the aforesaid Joan, wife of Sir Richard Welles, which Robert married Cecily, one of the daughters and eventually coheirs of Leo lord Welles, and thus rather singularly, by this alliance brought into his family a moiety of the barony of Welles, which family had before acquired the barony of Willoughby. The said

William Willoughby, the 19 Hen. VII., was found one of the coheirs of Leo lord Welles, as also of Sir Richard and Sir Robert Welles, and shared in the partition of their estates.§ He had summons from the 1 to the 14 Hen. VIII., and died the 17th, leaving issue one sole daughter and heir Catherine, which

§ Ibid.

BERTIE LORD WILLOUGHBY.

CATHERINE BARONESS WILLOUGHBY married, first, Charles Brandon, the famous duke of Suffolk, and had two sons who died at an early age, s. p.: her second husband was Robert Bertie, esq., by whom she had||

|| Vide Banks' Dorm. & Ex. Bar.

Peregrine Bertie, her son and heir, who on the decease of his mother claimed, and was allowed the barony of Willoughby, and had summons to parliament from the 23 to the 39 queen Elizabeth. He died circ. 1601, leaving

Robert Bertie, his son and heir, who by the description of "*Roberto Bertie Domino Willoughby (de Eresby) Ch'Pr*" had summons to parliament from the 3 James I. to the 1 Charles I., after when, in 1626, he was created earl of Lindsey, and was, as such, introduced into the House the 20 March, 1627.* From this period the barony became merged in the earldom, and so continued till Robert, his great-grandson, the fourth earl, was advanced to the dignity of duke of Ancaster, whose great-grandson Robert, the fourth duke, dying s. p., in 1779, the earldom and dukedom devolved upon the next heir male, and the barony of Willoughby of Eresby fell into abeyance between his two sisters and coheirs, viz: Priscilla Barbara Elizabeth, who married Peter Burrell, esq.; and Georgiana Charlotte, who married George James, fourth earl of Cholmondeley, which

* Journ.Dom.
Proc.

BURRELL LORD WILLOUGHBY.

LADY PRISCILLA BARBARA ELIZABETH BERTIE in 1780 had the abeyance of the barony determined in her favour. Upon her death it descended to her son, the present baron Willoughby of Eresby, and baron Gwyder in right of his father, who had been so created during the lifetime of his lady, the baroness; with reference whereto the reader may find an account in the Peerage of the sagacious Mr. Burke, or in Lodge's more accurate and erudite edition.

WILLOUGHBY DE BROKE.—(7 HEN. VII.)

THOMAS WILLOUGHBY, a younger son of Robert, fourth baron Willoughby of Eresby, married Elizabeth, sister and coheir to John Neville lord Latimer;† and from him descended

† Vide Latimer

Robert Willoughby, who the 7, 11, and 12 Hen. VII. had summons to parliament by writ directed "*Roberto Willoughby de Broke Ch'Pr*;"^a and died circ. 17 Hen. VII., leaving

Robert his son and heir, who had summons the 3 Hen. VIII., as "*Roberto Willoughby de Brook Ch'Pr*," in the 6th as "*The Lord Brooke, Sir Robert Willoughby*," and the 7th

^a Dugdale, in his index to his Writs of Summons has omitted the name of this Robert, though he has recited it in the writs of the years above mentioned. Sir John Willoughby, his father, married Alice, daughter and heir of Sir Edmund Cheney, of Brooke, (or Broke,) in the county of Wilts; and he was son of Sir John Willoughby, by Joan, his wife, daughter of Welby; which Sir John was son and heir of Thomas, by Elizabeth Latimer, his wife.—Robert was therefore great-grandson, and not grandson, as called by Dugdale and Sir Harris Nicolas.

as "*Roberto Willoughby de Brooke Ch'Pr.*"* It was this lord who had the contest with Richard Nevil lord Latimer for the barony of Latimer, as noticed under that article.† He was twice married; first to Elizabeth, eldest daughter and coheir of Richard lord Beauchamp de Powyke,‡ by whom he had Edward, his son and heir apparent, who predeceased him, leaving by Margaret his wife, daughter of Richard Nevil, three daughters his coheirs, hereafter mentioned; his second wife was Dorothy, daughter of Thomas Grey, marquess of Dorset, by whom he had two sons, Henry and William, who died of the sweating sickness, s.p., and two daughters, viz., Elizabeth, who married John, son and heir apparent of William Paulet, first marquess of Winchester; and Anne, who married Charles, son and heir apparent to William Blount lord Montjoy. Deceasing the 13 Hen. VIII., without surviving issue male, the barony fell into abeyance between the three daughters and coheirs of Edward, his eldest son, before named.^b Of which daughters,

* Dug. Lists of Sum.
† Vide Latimer.

‡ Vide Banks's Dorm. & Ext. Bar., vol. iii.

Elizabeth Willoughby married Sir Fulke Greville; Anne died young; and Blanch became the wife of Francis, or Sir Francis Dawtrey, and died s.p.

In 1695 the barony was claimed by and allowed to Sir Richard Verney, as eventually heir of the body of the said Elizabeth Willoughby by her husband, Sir Fulke Greville.§ By this family of Verney, the barony is now possessed, as may be seen in the printed peerages of the day.

§ Journ. Dom. Proc., 27 Feb. 1695.

WINDSOR.—(5 Ric. II.)

WILLIAM DE WINDSORE, or Windsor, said to be descended from William Fitz Other, who at the time of the general survey held divers lordships, and being castellan of Windsor assumed that surname, married Alice Perers, or Piers, the notorious concubine of king Edward III., in his dotage, and had summons to parliament the 5, 6, and 7 Ric. II., as "*Willielmo de Wyndesore*," but never after. His name is omitted in Dugdale's index to his writs of summons, though mentioned in the body of the writs for the aforesaid years.

Whether he died s.p. seems controverted. Dugdale, in his Warwickshire,|| states that his three daughters became his coheirs, of which Joane, the elder, married Robert Skerne, of Kingston-upon-Thames, who in her right possessed Compton Murdac in that county, (Warwick), and in Collectanea Topographica et Genealogica¶ it is also recited that he left three daughters coheirs, and that his lands were in Wilts, Kent, Somerset, and Dorset; but against this, Collins** asserts that he died the 15th of September, 8 Richard II., leaving his three sisters his heirs, viz: Isabel, aged thirty-eight; Christian, wife of Sir

|| P. 435.

¶ Vol. iv., p. 357.

** Edit. 1768

^b Vide Rot. Parl. 27 Hen. VIII., for settlement of the lands of lord Willoughby, act penes auctore.

* Esch. 8,
Ric. II.

† Vol. iii.,
p. 327.

‡ Synopsis,
vol. ii., p. 699.

§ Vid. Morant,
vol. i, p. 373.

William Morleux, aged thirty-four; and Margery, wife of John Duket, aged thirty-two;* moreover, that Joan was daughter of Alice Piers, by another husband. The parliament rolls of 17 Richard II.† recite a petition from Joan, daughter of the said Alice Perers, alias Wyndesore, touching certain rights therein mentioned, as appertaining to her the said Joan.

It is said by Sir Harris Nicolas,‡ that the nuncupative will of lord Windsor, supports the opinion that he died s.p.; but Alice his widow in her testament, dated anno 1400, speaks of three daughters, Joan, Jane, and another daughter Joan, to the latter of which (whom she describes as her youngest) she gives her manor of Gaines in Upminster, county of Essex,§ and to her other daughters all her manors, which John Windsor, or others by his consent, had usurped. It is therefore very doubtful whether he died with or without lawful issue; and consequently whether the barony is extinct or dormant in his descendants.

WINDSOR OF STANWELL.—(21 HEN. VIII.)

IN Collins's Peerage is a very elaborate account of the origin of this ancient family; but Dugdale not indulging in so long a detail, begins this branch with stating, that

Thomas de Windsor, only son and heir of Miles de Windsor, grandson of Bryan, who was grandson of Sir James, brother of Sir William, who had summons to parliament (as before mentioned) the 5 Ric. II., married Elizabeth, daughter and coheir of John Andrews, of Baylham, in the county of Suffolk, esq.; and had issue

|| Dugd. Lists
of Summ.

Andreas (or Andrews) Windsor, who was summoned to parliament the 21 Hen. VIII., and being then introduced therein, paid the usual fee of twenty shillings, demanded by the Garter King of Arms.|| He was also summoned in the 25 and 28 Hen. VIII., with the addition of "*De Stanwell*" to his name. He died circ. 35 Hen. VIII., having had issue by his wife, Elizabeth, sister and coheir to Edward Blount lord Montjoy, several sons, whereof George, the eldest, having predeceased him, s.p.,¶ he was succeeded by

¶ Buried at
Hounslow
Chapel.—
Weever, p. 529

William his second son, who according to Dugdale's Lists of Summons, was called to parliament from the 31 to the 35 Hen. VIII., but as his father was not then dead, there appears to have been an error in the substitution of the name of William for that of Andreas, or Andrews. He was afterwards summoned to the 6 Philip and Mary 1558, in which year he deceased, and was succeeded by^a

^a He had several other sons elder to Edward, all of which died in his lifetime; of these Thomas married Dorothy, daughter of Thomas lord Dacre, and as appears by his will dated in 1552 (6 Edw. VI.), is styled of Princes Risborough, in the county of Buckingham, and had a daughter Anne, who by Lysons, (*Mag. Brit.*, vol. i., p. 688), is stated to have married Sir Henry Grey, which if so, and she had had any issue, such issue would have been entitled to the succession of the barony before Edward, her father's younger brother.

Edward, his eldest surviving son and heir, who had summons from the 5 to the 18 of queen Elizabeth, and died abroad. By his will he directed that his body should be buried at Leige, and his heart at Bradenham, which was performed, and contained in an oval shaped leaden case, occupies a niche in the vault beneath the patron's chancel at Bradenham, and bears the following inscription, viz: "Herein is the heart of Edward lord Windsor who died at Spa, January 24, 1574."

Frederick, his eldest son, was his successor, and had summons to parliament the 23 queen Elizabeth, and died the 28 Elizabeth, s.p., unmarried, when the barony devolved upon.

Henry his brother and heir,^a who was summoned from the 28 queen Elizabeth to the 1 James I., and died in 1605, having had issue by Anne his wife, daughter and co-heir of Sir Thomas Rivet, of Chippenham, in the county of Cambridge, four sons and five daughters, whereof three only lived to maturity, Thomas his successor, and two daughters; of which, Elizabeth, senior, married Dixie Hickman, esq., and Elizabeth, junior, married her cousin Andreas Windsor, esq.*^b

* Mon. Insc.
apud Tarbick.

Thomas, only surviving son, sixth baron, is remarkable for the sumptuous entertainment he gave to the Grandees and Court of Spain, when, in 1623, he was sent rear-admiral of the fleet, to bring back prince Charles from that country. His equipage and expenses in that employment standing him in, at his own charge, no less than fifteen thousand pounds, a rare instance of munificence for the honour of his country, and certainly not followed at the present day, by those, who, appointed to such like offices, rather seek them for emolument than for national glory. Having been summoned to parliament from the 18 James I. to the 15 Charles I. he died soon after, in 1642, s.p., having settled his whole estate on his nephew Thomas Windsor Hickman, (which christian name he gave to him at his baptism) upon condition that he assumed the name and arms of Windsor.

WINDSOR HICKMAN, BARON WINDSOR.

To this Thomas Windsor Hickman, and his heirs, his majesty Charles II. confirmed the barony of Windsor, with such place in parliament as his predecessors had enjoyed, by patent dated the 12th of August, anno the 12th of his reign; and he had summons to

^a Edward, next brother to this Henry, has the following notice taken of him by Dr. Rawlinson, viz: "Habuit permultos filios filiasque; sed veneficiâ arte usus ne Thomas Sextus Baro Windsor (sui nepos) haberet exitum ipsemet dei judicio cum namerosâ prole periit."

^b Collins (edition 1768) says she had not any issue by him, and married secondly, Sir James Warr, auditor-general of Ireland, and that descendants from her were still existing.

parliament the 13, 31, and 32 Charles II., after when, in 1682, 34 Charles II., he was advanced to the dignity of earl of Plymouth. He died in 1687, and was succeeded by his grandson,

Other Windsor, son and heir of his eldest son Other, who died *vitâ patris*, which Other, second earl, died in 1727, leaving

Other Windsor his son and heir, third earl, who deceased in 1732, and was succeeded by his son and heir

Other Windsor, fourth earl, who died in 1771, leaving his son and heir,

Other Hickman Windsor, the fifth earl, who died in 1799, leaving by Sarah his wife, eldest daughter and coheir of Andrew the last lord Archer, a son Other Archer, his successor, and two daughters, viz: Maria, who married Arthur Hill, marquess of Downshire; and Harriot, who married the Honourable Robert Henry Clive, second son of Edward, earl of Powys, which

Other Archer, sixth earl of Plymouth, dying in 183—, s. p., the earldom devolved upon his uncle Andrew, as next heir male, but the barony of Windsor fell into abeyance between his two sisters before named.

The earldom of Plymouth has however lately become extinct, as presumed for want of issue male; but there is reason to believe that such issue male still exists in some individual, though of very distant lineage.

THOMAS WINDSOR.—(5 AND 6 PHILIP AND MARY.)

THE name of Thomas Windsor appears with that of William Windsor in the writ of summons to parliament the 5 and 6 Philip and Mary;* but Sir Harris Nicolas, in his Synopsis, remarks that the insertion is probably an error by the person who transcribed the lists from the roll;† yet, as the name of William his brother has place in the same writ, it would seem that his name was not inserted erroneously. In the will of Andreas, the first baron, he mentions this Thomas as his fourth son, and gives legacies to his daughters Anne and Ursula, and in default of issue to Peter, Miles, and Andrews Windsor. This Thomas married Mary, daughter and heir of Thomas Bokenham, of Berkshire, esq, and had issue two daughters and three sons, but Collins says‡ no issue is remaining from them.

* Dugd. Lists of Summ.

† Synopsis, vol. ii., p. 701.

‡ Vol. iii., p. 71, Edition 1768.

WODESTOCK.—(14 EDW. II.)

EDMUND PLANTAGENET, youngest son of king Edw. I., had summons to parliament the 14 Edw. II., as "*Edmund de Wodestok*," but was not included in the next writ, being

then created earl of Kent, by which title he was summoned the 15 Edw. II.* He married Margaret, sister and heir to Thomas lord Wake, but was attainted and his honours all forfeited.

Edmund his son and heir was restored, and died in 1333, s.p., leaving John, his brother and heir, who also died s.p. in 1352, when Joan his sister, became his heir, who, jure matris, was entitled to the barony of Wake,† as also to that of Wodestock, if any was created by virtue of the writ of the 14 Edw. II. This great heiress called from her beauty, “*the Fair Maid of Kent*,” married Sir Thomas Holland, K.G.,‡ and afterwards Edward the Black Prince, by whom she was mother of king Richard II.

* Dug. Lists of Sum.

† Vide Wake.

‡ Vide Holland.

ZOUCHE OF ASHBY.—(25 Edw. I.)

THE family of Zouche is represented by the heralds to be derived from the earls of Britany, though as Dugdale observes,§ they do not all deduce the line of descent in every point alike; which, if these learned persons do not concord with each other, they then can have little reason to accuse modern authors for inaccuracy, who look to them for authority.

§ Baron., vol. i., p. 688.

Roger le Zouche, living in the time of king John, was father of Alan le Zouche, who married Elene, one of the daughters and coheirs of Roger de Quinci, earl of Winchester, and had issue Roger, his heir, and Eudo le Zouche, of Haryngworth, hereafter mentioned, which Roger died circ. 13 Edw. I., leaving

Alan le Zouche, his son and heir, who had summons to parliament from the 25 Edw. I. to the 7 Edw. II. In the 26 Edw. I. he was summoned to Carlisle equis et armis, and in the writ was styled a baron,|| those then summoned being all distinguished by their respective ranks. In the 29 Edw. I. he was one of those barons who subscribed the letter to the pope, being designated “*Alanus le Zouche, Dominus de Ashby*,” and in the 1 Edw. II. had summons to his coronation.¶ At his decease circ. 7 Edw. II., he left three daughters his coheirs, whereof Elena (or Eleanor) married, first, Nicholas de St. Maur, and secondly, Alan de Charlton: Maud, Robert de Holland; and Elizabeth, the youngest, was a nun at Brewode, in the county of Stafford. Thus, not having any issue male, his barony fell into abeyance, in which it still remains, among the descendants and representatives of his two daughters** Eleanor and Maud.

|| Dug. Lists of Sum.

¶ Vide writ in vol. ii.

** Vide St. Maur & Holland.

ZOUCHE OF HARYNGWORTH.

EUDO LE ZOUCHE, uncle of the before mentioned Alan, married Milicent, relict of Roger de Montalt according to Dugdale, but of *John* de Montalt according to Sir Harris

* Synopsis,
vol. ii., p. 709.

Nicholas,* sister and coheir to George de Cantilupe, baron of Bergavenny, on the partition of whose lands he obtained the manor of Haryngworth, in the county of Northampton. The said Milicent deceasing circ. 27 Edw. I., her son and heir,

† Dug. Lists
of Sum.

William le Zouche, doing his homage, had livery of her inheritance, and had summons to parliament from the 2 to the 17 Edw. II., as William le Zouche;† but in that year, and from thence to the 26 Edw. III., with the addition of "*de Haryngworth*." But it is to be noticed that in the writs of the 20th of November, 22 Edw. III., the 25th of November, the 24 Edw. III., and the 15th of November, the 25 Edw. III., the name

‡ Ibid.

of William le Zouche de Haryngworth has *Junior* added to it,‡ which seems to intimate that his son and not himself was summoned in those years; but this is not of any importance with reference to the descent of the barony. He married Maud, daughter of John lord Lovel, of Tichmersh, and had issue a son Eudo, who predeceased him the 19

§ Vide Inge.

Edw. II.,^a leaving by Joan his wife, daughter and eventually heiress of William Inge,§ a son William, heir and successor to his grandfather, which

William le Zouche had summons till his death the 5 Richard II., when he was succeeded by

William le Zouche his son and heir, who was summoned from the 6 to the 18 Ric. II.; and in the 15 Ric. II. was by some inquisitions found next heir to John de Hastings, earl of Pembroke, viz: son and heir of William, son of Eudo, son of William, son of Milicent, daughter and one of the heirs to William de Cantilupe, brother to Nicholas, father of William, father of Nicholas, father of William, father of another William who died s.p. His son and heir

William le Zouche, fourth baron, had summons from the 20 Ric. II. to the 2 Hen. V.; and dying the next year, was succeeded by another

|| Vide St.
Maur.

William, the fifth baron, summoned from the 4 Hen. VI. to the 2 Edw. IV. He married Alice, daughter and heir of Richard baron St. Maur,|| and thereby brought that barony to be coalesced with Zouche.

¶ Dug. Sum.
** Synopsis,
vol. ii., p. 710.

William, his son and heir, was summoned to parliament the 6 Edw. IV., as "*William Zouche de Haringworth Ch'fr*."¶ But Sir Harris Nicolas states** that he was summoned as "*Baron St. Maur, jure matris*." He died the following year, leaving

*† Vide Dyn-
ham.

John his son and heir, seventh baron, who had summons the 22 Edw. IV. and 1 Ric. III., with whom taking part, he was attainted the 1 Hen. VII.; but the attainder was reversed afterwards, and he had summons to parliament from the 1 to the 7 Hen. VIII. He married Joan, one of the sisters and coheirs to John lord Dynham,*† and dying circ. 18 Hen. VIII., left another

John, his son and heir, the eighth baron, who had summons from the 21 Hen. VIII.

^a He died at Paris.—(*Vide Rol. Parl.*, vol. ii., p. 432, No. 29.)

to the 2 Edw. VI.; and by his will dated the 4 Edw. VI. desired to be buried in the chapel at Haryngworth, where other of his ancestors lay interred.

Richard le Zouche, his son and heir, was summoned the 5 Edw. VI., and died the next year, leaving

George his son and heir, the tenth baron, who had summons from the 6 Edw. VI. to the 8 queen Elizabeth, and died the 11th, being succeeded by his son and heir

Edward, the eleventh and last lord Zouche of Haryngworth, who had summons from the 13 queen Elizabeth to the 1 Charles I., 1625, when he died without issue male, leaving two daughters his coheirs: whereof, Elizabeth married^a William Tate, of De la Pre, in the county of Northampton, gent., (afterwards Sir William;) and Mary, who married first Thomas Leighton, esq., by whom she had issue;^b and secondly to William Connard, esq., s.p.

From this period, 1625, the barony remained in abeyance until Sir Cecil Bishop, bart., descended through the family of Hedges, from Elizabeth Zouche, wife of William Tate, preferred a claim, which, after much delay, difficulty, and discussion, was reported by the the lords' committee of privileges in his favor, and the king, in August 1815, was pleased to determine the abeyance in his behalf.

Sir Cecil, thus admitted as lord Zouche, died in 1828, s. p. m. s., when the barony fell into abeyance between his daughters, and has since been determined.*

* Vide the
Annual Peer-
ages.

The abeyance determined in the case of Sir Cecil, by the house of lords, was, viz:

Sir Cecil Bishop, heir of Catherine Tate, eldest daughter of Bartholomew Tate; and Mrs. Oliver, Mrs. Hemmings, and Mrs. Howell, coheirs of Mary, the youngest daughter of the said Bartholomew Tate; and the descendants (if any) of Mary, the youngest daughter and coheir of Edward, the last lord Zouche.

^a In Walker's account of the sufferings of the clergy in the time of the great rebellion, the family of Tate is not only illegitimately, but most contemptuously mentioned, and that Elizabeth Zouche, would not have been given to such a man as Tate had she not been before pregnant.

^b Sir Harris Nicolas in his Synopsis, vol. ii. p. 711, in a note has observed, that no issue of this Mary could be traced after the time of the Commonwealth: but this is not correct; for the Editor, when the claim of Sir Cecil Bishop was before the house, communicated to a deceased herald, then concerned for Sir Cecil, that he was a descendant, and being asked to show in what line, he did so; which the herald said was satisfactory, and then asked would he give his consent to the determination of the abeyance? which declining to do, the said herald afterwards, on his examination before the Committee of Privileges, stated that he had received from the Editor, a claim, but that he would not support it. The perfidy of this person in other instances he also experienced. However after then, the editor, the 10th of May, 1825, presented a petition to his Majesty, for the barony of St. Maur, as coalesced with that of Zouche, but not affected by the determination of its abeyance; and thereon, the 13th of May, obtained an order of reference to the Attorney-general (then Sir John Copley) and left it in his office, with an intention of proceeding therewith: but being disappointed of a considerable estate which a relation had given him reason to expect, he has not made any further proceedings; poverty being a great impediment to the obtainment of right.

ZOUCHE OF MORTIMER.—(17 EDW. II.)

* Vide Zouche
of Ashby.

THE paternal name of this family was Mortimer, and commenced in William, a younger son of Robert Mortimer, of Richards Castle, by Joice his wife, daughter and heir of William le Zouche, who was a younger brother to Alan, who married Elene de Quincy,* and coming to possess the lordship of Ashby, assumed his mother's surname, and was therefore commonly distinguished as "*William Zouche of Mortimer.*" This

† Dugd. Lists
of Sum.

William was at first summoned to parliament as William le Zouche, the 17, 18, and 19 Edw. II.; in the 1 and 2 Edw. III. as "*William la Zouche de Castro Richardi*;" and in a subsequent summons the 2 Edw. III., as "*William la Zouche de Mortuomari*;" and from thence to his death, the 10 Edw. III., by the same distinction.† He was twice married: his first wife was Alice de Tony, widow of Guy de Beauchamp, earl of Warwick, by whom he had a son Alan his successor; his second wife (whom he left surviving) was Alianore, daughter of Gilbert de Clare, earl of Gloucester, and widow of Hugh le Despenser, by whom he had a son Hugh.

Alan le Zouche, his son and heir, was never summoned to parliament, and died circ. 20 Edw. III., leaving

‡ Baron.,
vol. i., p. 154.

§ V. ii., p. 712

Hugh le Zouche, his son and heir, who never had summons, and died, as is said by Dugdale‡ leaving a son Hugh, and a daughter Joice, who by the decease of her brother Hugh, s.p., became his heir, and married John de Botetourt of Weoley Castle, in the county of Wigorn. With this statement Sir Harris Nicolas, in his Synopsis,§ agrees, adding that in the descendants and representatives of the aforesaid William baron Zouche of Mortimer, the barony is presumed now to be in abeyance.

Burton, however, in his history of the county of Leicester, differs from Dugdale, and asserts that Joice, the wife of Botetourt, was daughter of William, and sister to Alan, his son.

This leads to an inference, that upon the decease of Alan, he was succeeded by his half brother Hugh; whose son Hugh dying s. p., the said Joice became heir to the barony as sister to Alan, and daughter and eventually heir of William her father.

The heirs of Joice may be seen under the article of Botetourt.

THE END.

ADDENDA.

VOL. I., P. 279.—(LATIMER.)

IN the pedigree of Latimer—after the two daughters of John viscount Purbeck, and earl of Buckingham, who died in 1723—add

Of these daughters, lady Mary Villiers died vitâ patris, and was buried at Merton, in Surry, 18 May, 1703.—(*Lyson's Environs*, v. i., p. 349.)

Lady Elizabeth Villiers died at an advanced age in Tavistock Court, Tavistock Street, Covent Garden, the 4th July, 1786. She was the last child who survived her father.—(Vide the *Annual Register*, and *Gentleman's Magazine* for July 1786.)

VOL. I., P. 306.—(MALTRAVERS.)

UNDER this article it has been stated that the barony, together with the baronies of Fitz Alan, Clun, and Osweldestrie were annexed to the title of earl of Arundel, and were settled by act of parliament on Thomas Howard, then earl of Arundel, with remainder to his issue male; and in default, with similar remainder to divers other members of the Howard family: whereby it would seem that the barony of Maltravers was from a barony originally by writ, descendable to heirs general, converted into a barony de novo, confined in succession to heirs male only.

In 1841, the earl of Surry, eldest son of the present duke of Norfolk, was summoned to parliament* as lord Maltravers (vitâ patris); which bears to the question, whether by such writ of summons he has acquired a barony in fee, as referring to the ancient barony, or whether his summons applies only to the barony in tail male, vested with the title of earl of Arundel, as possessed by his father. The old barony still remains, as presumed, in abeyance between the lords Stourton and Petre, never having descended to the present duke of Norfolk.

* Gazette,
11 Aug., 1841

ERRATUM.—VOL. II.

The last line at the bottom of page 210 ought to follow the last line at the end of the next page, 211. The erratum may be readily perceived, as having inadvertently been misplaced.

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